

Preston N. Burleigh, Houlton.
Zaidee P. Campbell, Jackman.
Ellsworth W. Sawyer, Kezar Falls.
Albert A. Weatherbee, Lincoln.
Leonard O. Meader, North Berwick.
Philip F. Stone, Norway.
Edward I. Waddell, Presque Isle.
Harold N. Libby, Richmond.
Harry N. Ferguson, Sanford.
Joe P. Davis, South Berwick.
Thomas R. McPhail, Thomaston.
William C. Flint, Waldoboro.

MICHIGAN

Charles F. Waldie, Bancroft.
Robert Ryan, Bronson.
George H. Batchelor, Buchanan.
Henry E. Cowdin, Carson City.
George A. Mason, Cedar.
Euretta B. Nelson, Climax.
Benjamin B. Gorman, Coldwater.
Charles H. Haley, Coleman.
Asa B. Freeman, Durand.
Louis Gee, Farwell.
Ernest E. Yerdon, Fenton.
Edna Donohue, Gregory.
Irvin B. Dayharsh, Hart.
Henry F. Voelker, Ionia.
Walter G. Rogers, Lansing.
William C. Truman, Luther.
George H. Steadman, Lyons.
Roland M. Krise, Marcellus.
Claude W. Till, Mears.
Edward F. Blake, Middleville.
Fred W. Holmes, Milford.
Milan A. Smith, Morenci.
Angus G. Grayson, Pellston.
Harold T. Hill, Pentwater.
Thomas S. Scupholm, Port Huron.
Charles T. Fillmore, Quincy.
James V. Baker, South Lyon.
George Q. Brace, Sparta.
Mary E. Swanson, Spring Lake.
Fred E. Pomeranig, Trenton.
Enoch J. Andrus, Utica.
Christopher J. Bristow, Van Dyke.
Fred Lutz, Warren.
William R. Bryce, Yale.

MISSISSIPPI

William F. Elgin, Corinth.
David H. Foresman, Electric Mills.
George T. Mitchell, Guntown.
William D. Woods, Houston.
Walter L. Goodman, Iuka.
Ocran C. Elliott, Nettleton.
Arthur L. Stanford, Ripley.
William A. Shelby, Rosedale.
Fred H. Powers, Starkville.
Key R. Hodges, Wesson.

NEW HAMPSHIRE

Herbert E. Walbridge, Enfield.

NEW JERSEY

Frederick R. Dixon, Bellemead.
Alan W. Knowles, Budd Lake.
Daniel A. DeVries, Carlton Hill.
Clifford R. Bower, Columbus.
Sadie E. Johnson, Fort Hancock.
August Graf, Hoboken.
John G. Rhinesmith, Midvale.
Lillie Conover, Northfield.
Everett N. Crandell, North Hackensack.
Henry R. Parvin, Ramsey.
Charles H. Wilson, Swedesboro.
Luther S. Van Fleet, Three Bridges.
Catherine De Bue, Vauxhall.
Howard E. Atkinson, Whitesbog.
Richard Van Iderstine, Wyckoff.

NORTH CAROLINA

Jonah F. Deaton, Aberdeen.
Riley W. King, Candler.
Vernal Freeman, Chimney Rock.
Lola A. Carter, Jackson Springs.
Atlas D. Griffin, Peachland.
William B. Duncan, Raleigh.

John W. McLean, Rowland.
John H. Williams, Rutherfordton.
Ernest B. Satterwhite, Sanatorium.
Ross Matheson, Taylorsville.
Charles A. Bland, Wadesboro.
Calvin Y. Holden, Wake Forest.

OREGON

George D. Wood, Brookings.
Joseph B. Wheeler, Cochran.
Drusilla M. Crance, Cornelius.
Roy C. Hale, Echo.
Irwin D. Pike, Grass Valley.
Rodrick A. Chisholm, Monroe.
Charles B. Wilson, Newberg.
Ora Mahoney, Oakland.
Russell H. Sullens, Prairie City.
Grant L. Grant, Riddle.
Charles S. Heinline, Roseburg.
Henry E. Grim, Scappoose.
John S. Hudson, Troutdale.
George L. Edes, Yoncalla.

SOUTH CAROLINA

James M. Graham, Alcolu.
William J. Galloway, Dillon.
Joseph G. Holland, Edgefield.
Everett C. Rye, Eastover.
Walter T. Barron, Fort Mill.
George S. McCravy, Liberty.
Eva H. Groce, Lyman.
Robert L. Henderson, North Charleston.
William D. Sutton, Pageland.
Thomas R. Riddlehoover, Plum Branch.
Mattie H. Graham, Pomaria.
Horace M. Watkins, Ridge Springs.
Maebelle Orvin, St. Stephen.

WEST VIRGINIA

Charles B. Crawford, Cabinereek.
Valentine Hatfield, Delbarton.
Godfrey B. Beebout, New Cumberland.

HOUSE OF REPRESENTATIVES

TUESDAY, December 14, 1926

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our heavenly Father, truly Thy love is the greatest thing in all the world. It flows from the heart of the universe, which is God! May we not be deceived by its abundance, or grow weary of our responsibility. Thou dost require of us righteousness, personal integrity, and charity. While duty does not always come easily, do Thou help us to accept its compulsion. Bless us with the assurance that righteous duty bravely performed brings its reward with no lasting regrets. May we seek Thy will, do our best, and trust Thee to the end. Amen.

The Journal of the proceedings of yesterday was read and approved.

CYRUS S. ANDREWS

Mr. COLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2855) for the relief of Cyrus S. Andrews, and consider the same.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the bill S. 2855. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Cyrus S. Andrews, who was a private in Company H, One hundred and forty-fifth Regiment Pennsylvania Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of said company and regiment on the 26th day of June, 1865: *Provided,* That no bounty, pay, or allowances shall be held as accrued prior to the passage of this act.

Mr. COLE. Mr. Speaker, my reason for calling up this bill in this manner is this: The bill was introduced by me in the House and by my colleague, the late Senator Cummins, in the Senate. On the 30th of April last the bill H. R. 5606 was passed in the House. Just before adjournment Mr. Cummins's bill, S. 2855, was passed in the Senate. What the Senate should

have done was to have passed the House bill. In this case both Houses passed the same bill, identically the same even to the commas, but the effect was as if no bill had been passed. Perhaps the more proper procedure now would be for the Senate to pass the House bill, but as Mr. Cummins is dead I am asking the House to pass the Senate bill, so that this legislation, against which no objections were raised in either House, may become law.

The bill was ordered to be read a third time, was read the third time, and passed.

JUDGES' SALARY BILL

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

House Joint Resolution 303

Joint resolution to correct a misnomer contained in the act to fix the salaries of certain judges of the United States

Whereas Congress having by the act of May 28, 1926, changed the name of the Board of General Appraisers to that of the "United States Customs Court"; and

Whereas a bill was introduced in the Senate prior to May 28, 1926, entitled "An act to fix the salaries of certain judges of the United States," which bill passed the Senate on May 6, 1926, wherein the judges of the United States Customs Court were designated as the Board of General Appraisers, that being at that time the correct name; and

Whereas the Senate bill passed the Senate in that form and has since passed the House of Representatives: Therefore be it

Resolved, etc., That the act of December 13, 1926, "An act to fix the salaries of certain judges of the United States," be, and it is hereby, amended, by striking out the words "To each of the members of the Board of General Appraisers, which board" and inserting in lieu thereof the words "To the chief justice and associate justices of the United States Customs Court, which court."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. CHINDBLOM. Reserving the right to object, I will ask the gentleman from Pennsylvania if he is not willing to strike out the whereases. They are not a part of the joint resolution, and we never leave them in.

Mr. GRAHAM. I thought it was wise to put the whereases in, because it shows clearly the state of the legislation and the reasons for its present condition.

Mr. CHINDBLOM. We never show the reasons for legislation in the legislation itself. I am not going to object, but I hope in the interest of orderly legislation that they will not remain in. We do not need them, and the legislation speaks for itself.

Mr. GRAHAM. I thought it would facilitate the passage.

Mr. CHINDBLOM. They have been read to the House. I shall not object, but I hope that I will have an opportunity to move to strike them out.

Mr. HUDDLESTON. Reserving the right to object, I would like to ask the gentleman why it was not offered as an amendment when the House had the bill up?

Mr. GRAHAM. I will say frankly that the reason was that we did not want to amend the bill, because by so doing we might delay the passage indefinitely and perhaps defeat it.

Mr. HUDDLESTON. Does not the gentleman think that is an unfair position?

Mr. GRAHAM. I do not think so; I see no unfairness about it.

Mr. HUDDLESTON. I am compelled to object for the present.

The SPEAKER. Objection is heard. Under an order of the House the gentleman from Nebraska [Mr. HOWARD] is recognized for 15 minutes.

Mr. HOWARD. Mr. Speaker, I am always grateful to the House for its kindness and courtesy. I am not feeling very well this morning and do not believe that I could properly present the grave subject that I have to offer. I ask unanimous consent that the time which was so courteously yielded to me for this morning may be afforded me to-morrow morning.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that he may proceed to-morrow under the same conditions that were granted to-day. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed Senate bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2021. An act to provide for weekly pay days for postal employees.

The message also announced that the Senate had passed the following orders:

Ordered, That the impeachment proceedings against George W. English, late a Judge of the District Court of the United States for the Eastern District of Illinois, be, and the same are, duly dismissed.

Ordered, That the Secretary of the Senate be directed to communicate the foregoing order to the House of Representatives.

The message also announced that the Vice President had appointed Mr. HALE and Mr. MCKELLAR members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the General Accounting Office.

SENATE BILLS REFERRED

Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 244. An act for the relief of Elizabeth W. Kleffer; to the Committee on Claims.

S. 597. An act for the relief of Morgan Miller; to the Committee on Claims.

S. 2021. An act to provide for weekly pay days for postal employees; to the Committee on Post Offices and Post Roads.

S. 3423. An act authorizing the removal of the Bartholdi Fountain from its present location and authorizing its recreation on other public grounds in the District of Columbia; to the Committee on the Library.

S. 4403. An act granting the consent of Congress to the board of county commissioners of Trumbull County, Ohio, to construct a free overhead viaduct across the Mahoning River at Niles, Trumbull County, Ohio; to the Committee on Interstate and Foreign Commerce.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. TILSON. Mr. Speaker, the gentleman from Michigan [Mr. CRAMTON], in charge of the appropriation bill, understanding that the gentleman from Nebraska would occupy 15 minutes, has just stepped out of the Chamber.

Mr. TAYLOR of Colorado. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14827) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. MICHENER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will report the title.

The Clerk read the title, as follows:

A bill (H. R. 14827) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes.

The Clerk read as follows:

Newlands project, Nevada: For operation and maintenance, \$125,000; continuation of construction, \$64,000; in all, \$189,000: *Provided*, That no part of this amount shall be available for the reconstruction of the Truckee Canal unless a contract in form approved by the Secretary of the Interior shall have been made with the Truckee-Carson irrigation district providing for the payment of the reconstruction cost: *Provided further*, That the appropriation of \$245,000 made available by the act of June 5, 1924 (43 Stat. p. 415), and reappropriated for the fiscal year 1926 by the act of March 3, 1925 (43 Stat. p. 1167), shall remain available for the fiscal year 1928 for use for drainage purposes but only after execution by the Truckee-Carson irrigation district of an appropriate reimbursement contract satisfactory in form to the Secretary of the Interior and confirmation of such contract by decree of a court of competent jurisdiction and final decision on all appeals from such decree.

Mr. ARENTZ. Mr. Chairman, on page 65, line 18, after the word "all," I wish to offer the following amendment:

Insert "\$50,000 for investigation for feasible survey sites on the Carson and Truckee Rivers" and change "\$189,000" to "\$239,000."

The CHAIRMAN. Will the gentleman kindly send his amendment up in writing?

Mr. ARENTZ. I will do that, yes; but in the meantime I shall speak upon the amendment. On June 17, I think it was, 1902, the reclamation law was passed.

Mr. BANKHEAD. Mr. Speaker, the amendment the gentleman offers is somewhat complicated, and I think he should submit it in writing.

Mr. ARENTZ. I intend to put it into writing and I shall do so.

The CHAIRMAN. Does the gentleman from Alabama object to the debate before the amendment is presented?

Mr. BANKHEAD. I would like to know what it is about.

Mr. ARENTZ. Then I offer the pro forma amendment and will later send up my amendment in writing. I move to strike out the last word.

The CHAIRMAN. The gentleman from Nevada is recognized for five minutes.

Mr. ARENTZ. Mr. Chairman, I am doing this with the idea of bringing to the attention of the chairman of the subcommittee of the Committee on Appropriations having in charge appropriations for the Interior Department certain items of importance to my State and to the well-being and future development of the Newlands reclamation project. As I started to say, the bill establishing the Reclamation Bureau was passed on June 17, 1902. Senator Newlands was the author of that bill. One of the first projects introduced under that bill was the Newlands project located in Churchill County, comprising over 60,000 acres and settled by the most splendid people to be found anywhere. At that time there were old water-right users located in the neighborhood and adjacent to the new lands put under cultivation since the inauguration of the project. From 40 to 75 miles upstream there were also old water-right users, first in the neighborhood of Dayton and higher up the stream in what is called the Carson Valley. A friendly suit was started a short time after the institution of this project by the Federal Government, and Senator Newlands would turn over in his grave if he knew that this suit had gone on and on for the past 13 years and had cost the water users of these streams upward of \$100,000; that it is the intention of certain overzealous officers of the Justice Department and the Reclamation Bureau to forever prevent these upstream users from obtaining adequate water supply in the only possible way, namely, upstream storage. Further than that, these old water-right users on the lower reaches of the river, located many miles downstream, have the privilege not enjoyed by water rights of equal date above Lahontan Reservoir, of taking out of this reservoir a sufficient amount of water to carry them over the low period of the stream, namely, July, August, and September. Both these water-right users—both these classes of farmers—to start with had the same rights, but the Government stepped in and gave an additional right to the old rights below the reservoir, namely, the privilege of using water out of this reservoir, which in the nature of things could not have been given to ranchers located near the head of the stream.

I desire to see every acre of land under the Newlands project have a proper amount of water. These settlers have come upon the project in good faith and in most instances have spent the better part of their life in clearing off the greasewood and sagebrush, leveling the land and putting it under cultivation. No one of right mind could deny to these settlers the proper amount of water for the full irrigating season to mature any and all crops grown in this latitude. To do other than this is not my purpose.

This amendment I propose to offer will cause an investigation of the two streams, the Truckee and the Carson, with the idea of finding out if there is not some way that upstream storage can be brought about, so that the old water-rights' users on the Carson River would at least at their own expense be able to store water and have as good a water right as the men 75 miles down the stream, who came into the country even later than they did.

This has all been brought about by the Government and through a friendly suit which was to cost the water users on these streams not a penny. I spoke to the gentleman from Michigan [Mr. CRAMTON] briefly and asked him the possibility of such an amendment. He says that a supplemental estimate would have to be made. That is true. The same sort of argument will be used against this appropriation as has been used against the appropriation for the construction of a dam on the Walker River, and this brings up another question and problem on the same subject. On pages 147, 148, and 149 of the hearings it will be seen that the consulting irrigation engineer of the Indian Department, instead of telling the chairman of this subcommittee the things he should have told him, he went into the legal phases of the matter and told him what would result if a certain suit was settled in a certain way. He did not tell the gentleman from Michigan that this Walker River during the month of July, August, and September contains

little or no water. He did not tell him that if all water rights acquired by the old settlers by "application and beneficial use" during the years from 1851 to 1871, before the Indian reservation was even established, were disregarded and the water allowed to go down to the Indian reservation, it would not reach the Indian reservation during the months of August and September of some years and would never be sufficient to irrigate more than the 1,800 acres now under cultivation on the reservation. In other words, a Member of Congress and two Senators from the State have a whole lot less influence on the floor of this House than a consulting engineer of the Indian Department or a member of the Indian Rights Association or a member of the Association for the Protection of Indians.

The CHAIRMAN. The time of the gentleman from Nevada has expired.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for one minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Following the statement the gentleman just made in respect to the influence of two Senators and one Representative being so little, I ask the gentleman if that is not the exact intent of the whole Budget system.

Mr. ARENTZ. In some cases that is very true. It all depends whether you can get under the skin of certain members of the Committee on Appropriations. If you can not, you lose out; and if you can, fine and dandy.

Mr. JOHNSON of Washington. The gentleman says the witness did not tell what he should have told. Is it not a fact that, if he had told what he should have told, he would have been separated from the service of the Government?

Mr. ARENTZ. Apparently this witness told exactly what the Commissioner of Indian Affairs and the Attorney General wanted him to tell, and did not tell anything else. I would have liked him to tell the story as it was shown to him this summer when he was on the ground, but nothing of that sort happened.

The CHAIRMAN. The time of the gentleman from Nevada has again expired.

Mr. CRAMTON. Mr. Chairman, I am not clear and would be very glad to have the gentleman advise me as to the purpose of the amendment. Is the purpose of the survey which the gentleman suggests in his amendment to give additional water supply for the present Truckee project, or for the waters known as the Spanish Springs project, or this Walker River situation which has been discussed in the Indian bill?

Mr. ARENTZ. The first amount appropriated for the Spanish Springs matter was \$500,000. There was no objection apparently from the people on the Truckee River toward this appropriation.

Since that time there has been a great deal of opposition because the water—

Mr. CRAMTON. Mr. Chairman, I asked the gentleman a direct question as to what was the purpose of his amendment.

Mr. ARENTZ. So as to fulfill the promise made by the Government to the people at Fernley and those on Swingle Bench to give them water through the irrigation season.

Mr. CRAMTON. In the so-called Spanish Springs?

Mr. ARENTZ. No. I am not saying anything about that.

Mr. CRAMTON. The existing project?

Mr. ARENTZ. For upstream storage.

Mr. CRAMTON. How does that tie in with the Walker River situation for which there was an appropriation of the current year of \$10,000?

Mr. ARENTZ. I merely mentioned the latter.

Mr. CRAMTON. Just to get the committee in wrong?

Mr. ARENTZ. Oh, no; not that at all. The idea is this: You cut out the Spanish Springs appropriation and you have left nothing in its place. The Government made a promise to the people of Fernley and Swingle Bench to give them water during the season. They do not now have water, and upstream storage will give that water. This investigation will determine whether or not there is feasible upstream storage and when they begin to store it they first will supply the Fernley people and Swingle Bench people and have sufficient to supply the needs of the Truckee Meadows people as far as the Truckee River is concerned. In the nature of things both the Truckee and the Carson Rivers are tied into the Newlands project. I want justice done to both classes of settlers.

Mr. CRAMTON. Mr. Chairman, the gentleman is hardly fair to the committee. The committee has never treated the gentleman in a way that would justify his feeling. Such discussion as I have had with the gentleman this session in relation to the

matter now presented has been of a most fragmentary nature, certainly not of a nature to give an impression of what it is about.

As a matter of fact, I do not now recall having a discussion, but as the gentleman says we did, I suppose we did. I suppose I did suggest to him that he should bring up the matter through the bureau so the committee might have before it their views upon it. The situation upon the Newlands project is a complicated one. It is an old project which has been in a more or less unsatisfactory condition; the conflict of rights has been considerable, but I am very frank to say I have not a clear understanding as to all of the conflicts. The gentleman made some reference to the Walker River in a portion of our hearings. The gentleman had a bill passed authorizing the expenditure of \$10,000 to investigate and determine the feasibility of the construction of an irrigation dam on the Walker River, Nev., and involved in that was some question as to the relative rights of the whites and Indians, and the manifest desire that if the project is developed that it should be developed at the expense of the Indians, the Federal Government, or anybody except the white settlers who are most concerned. When that bill came through I endeavored to have language which would permit the investigation but leave open the question as to who would pay for it, and in the course of our hearings this year I asked for some information as to the progress of this investigation. Now, I understand, that has nothing whatever to do with the amendment now before us.

Mr. ARENTZ. There has been no amendment offered. I have the amendment right here, and I will say that I have a high regard for the gentleman from Michigan. My remarks are directed against an unseen force in the bureaus which I seem unable to reach, a force greater even than that of the Cabinet members who direct them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAMTON. I ask for three additional minutes.

The CHAIRMAN. The gentleman from Michigan asks for three additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CRAMTON. The amendment now before us provides for \$50,000 for a survey for an additional water supply. The bill as reported provides for a certain additional supply through the enlargement of the Truckee Canal, and so forth.

There is in the bill a general appropriation for surveys and investigations. Some portion of it could be set aside. I fail to see why, even if the item is approved, as much as \$50,000 would be needed. In view of the fact that no one here has any information about it except the gentleman from Nevada, it seems to me that it is an item that might very well be deferred until there could be an opportunity for investigation of its merits and a consideration of just what the effect is going to be upon the obligations of the Government and upon the obligations of these different units that are involved. Therefore, although I would be delighted if we can meet with the views of the gentleman, I think it would not be advisable to hastily inaugurate this legislation.

Mr. ARENTZ. Mr. Chairman, the remarks I made previously were made entirely under the time given me under the pro forma amendment. I now offer the amendment I originally intended to offer.

So far as Mr. Reed's testimony that I referred to is concerned, the engineer of the Indian Bureau was asked as to the necessity of a certain amount of money for irrigation on the Walker River Reservation.

The CHAIRMAN. Without objection from the gentleman from Nevada, the amendment offered will be reported for the information of the House.

The Clerk read as follows:

Amendment offered by Mr. ARENTZ: Page 65, line 18, after the word "all," insert "\$50,000 for investigation of the Carson and Truckee Rivers; in all, \$239,000."

The CHAIRMAN. If there is no objection, the gentleman from Nevada may proceed for five minutes.

There was no objection.

Mr. ARENTZ. Mr. Reed was asked certain questions regarding this item of two thousand-odd dollars for the Walker River Reservation, but instead of answering the questions he comes back and says, "Let me tell you something about the legal status of the suit."

Mr. CRAMTON. I will say to the gentleman that that has nothing to do with the matter before the House.

Mr. ARENTZ. I am only answering the question. That is what I am doing. Mr. Reed went into the matter of this suit. The gentleman from Michigan certainly must have known that during the past summer Mr. Reed and his associates spent several weeks, possibly a month, investigating the conditions

on this stream, the Walker River, and Mr. Reed knew that if all the water in the stream had been turned down to the land being tilled upon the reservation there would not have been sufficient water, and there never will be without storage. But instead of telling you that there was not enough natural flow to irrigate the Indian lands, let alone nothing to irrigate 10,000 acres, the amount contemplated, he, Mr. Reed, told the committee that until the suit is settled there should not be an appropriation for a dam to create a reservoir, or words to that effect.

Now as to this amendment. This amendment, if passed, will cause an investigation of the Carson and Truckee Rivers, two rivers the waters of which go to make up the necessary amount of water for the Newlands project. There is not enough water either for the Fernley bench or the Swingle bench, without additional storage, and since it can not be Spanish Springs Reservoir the only alternative is upstream storage. To settle all conflicting interests, to dispense justice in the only way possible and to make good on a pledge made Fernley settlers the Government should treat both streams alike.

Mr. STEVENSON. What is the necessity for the water? What is produced in that area?

Mr. ARENTZ. Potatoes, Heart of Gold melons, grains, sugar beets, alfalfa, and many other things; and without this water I will say to the gentleman that you can not irrigate during the complete irrigation season. You will have sufficient water on both streams above Lahonton as long as the natural flow is sufficient; not for the entire season.

Now, Mr. Chairman, I am through, so far as my statement is concerned.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Owyhee project, Oregon: For continued investigations and commencement or continuation of construction, \$2,000,000.

Mr. STEVENSON. Mr. Chairman, I move to strike out that paragraph. I am not particularly sanguine that it will be done, but I want to call the attention of this House to the fact that we are having great labor among us, the statesmen of this country, to find out how to deal with the surplus agricultural production of this country, especially in wheat and corn and cotton and other things; and yet, every year we are appropriating millions of dollars—and this is one of the examples of it—\$2,000,000 for commencement and continuation of construction of irrigation projects.

What is the purpose of it? Merely to bring under cultivation lands that God Almighty did not provide for in order to increase the overproduction, for which they then want us to appropriate two or three hundred million dollars a year to take care of.

It seems to me that the statesmen who are running this country and who are managing this great irrigation business ought to collaborate a little with those who are trying to find out what to do with the surplus and stop spending the people's money to develop lands in order to increase production and then weep on our shoulders asking us to do something contrary to the Constitution of the United States to deal with that overproduction that is made.

Mr. LOWREY. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Certainly.

Mr. LOWREY. I was just waiting my turn to add to the speech the gentleman has made. It is also true that we are turning out square miles of land that can not be retained under cultivation because the farm people are leaving the farms and going to the towns, and agricultural interests languish because of overproduction; and yet we are endeavoring to put taxes upon every Congress for bringing new lands into use in the place of these old lands. Many of these old lands are richly productive and can be carried right on without taxation to make them productive.

Mr. STEVENSON. The gentleman has made his speech in my time. [Laughter.]

Now, this whole business is an unnatural thing. I know the gentlemen from the arid West are always asking for it. But, take the experience of the Federal land bank at Spokane, Wash. When we stimulated the production of wheat every farmer in Montana plowed up the prairie and sowed wheat. They went out and borrowed money, and were likely to have water-logged the Spokane bank.

They made one or two crops, and then asked for an appropriation to give seed to them because they were drought stricken. I rode a whole day on the Great Northern Railroad

last year, going across that country, where I saw the farm-houses in that country shut up and the people gone and the land reverting back to its natural condition, a condition representing a pasturage country, a grazing country, with the buffalo grass destroyed for several years because of this interference with the provision that nature had made. Then we got out there and we found down in the great bend of the river, or the big bend or some such name, that they had concluded that while it was a good grazing country they could improve on the Almighty and they got irrigation out there; they irrigated it and they were going to make it a Garden of Eden again to put Adam and Eve in. What happened? It ran all right for one or two years—and, by the way, they borrowed the money from the Federal land bank at Spokane in order to develop all those lands—they got it loaded up with that, as well as with northern Montana, and in about two years the alkali began to come up and the irrigation of that wonderful territory resulted in its absolute destruction for agricultural purposes, and a large part of it for any purpose, because, we were told out there, that when the black alkali comes to the top it means a desert forever, and they could not utilize it, but that in the territory where the white alkali comes to the top by withdrawing their irrigation and letting nature reassert itself that in the course of time it will come back to be worth something.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. STEVENSON. Mr. Chairman, I ask for one more minute.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to proceed for one additional minute. Is there objection?

There was no objection.

Mr. STEVENSON. We are all the time, as I say, being importuned to spend enormous sums of money for the development of territory in a way that the Almighty has not provided it should be developed. In that way we increase our overproduction, and we are then expected to devise some means to take care of the overproduction and thus add a burden to the Treasury of the United States, and I think it is about time we stopped it.

Mr. CRAMTON, Mr. SINNOTT, and Mr. WINGO rose.

The CHAIRMAN. Did the Chair understand the gentleman from South Carolina to say his amendment was a pro forma amendment?

Mr. STEVENSON. Yes.

The CHAIRMAN. Then the pro forma amendment will be withdrawn, and the Chair will recognize the chairman of the subcommittee [Mr. CRAMTON].

Mr. STEVENSON. Mr. Chairman, if it is to be discussed, I will let it stand as a motion to amend by striking out.

Mr. CRAMTON. I misunderstood. I supposed there was a motion to strike out the paragraph.

Mr. STEVENSON. I stated it was a pro forma amendment, but we will let it stand, the gentleman from Michigan can discuss it, and we will take a vote on it.

Mr. CRAMTON. I am willing to forego my speech if the gentleman will withdraw his amendment.

The CHAIRMAN. The amendment has been withdrawn by unanimous consent.

Mr. WINGO. Then, Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Arkansas moves to strike out the last word, and is recognized for five minutes.

Mr. WINGO. Mr. Chairman, my good friend from South Carolina [Mr. STEVENSON] is a very able lawyer and he is really a statesman.

Mr. STEVENSON. I am a better farmer than I am a lawyer.

Mr. WINGO. The gentleman says that he is a better farmer than he is a lawyer, but I am going to prove he is not. His speech demonstrates that he is not a very good farmer. If he were as good a farmer as he is a lawyer, or if he knew as much about farming as he does about the law, he would not have made that speech. He based his whole protest against irrigation upon a fallacy, and he is not the only farmer who sometimes is misled on that. He takes the position that you have too much productive land under cultivation now because you have an agricultural surplus. Gentlemen, the trouble is not have you a surplus of agricultural production, but the trouble of it is that whatever temporary surplus you may have is handled in such a way as to depress the value not alone of that surplus but of the entire production. Think of the consumption of the world and of the United States of agricultural products. I will take cotton, in which my friend is

interested, because I know something about that and I do not know much about wheat. What about the surplus of cotton measured in terms of consumptive demand? That surplus does not represent a six months' supply for the world.

Mr. STEVENSON. Will the gentleman yield?

Mr. WINGO. Certainly.

Mr. STEVENSON. I do not think the gentleman is entirely familiar with the figures. The average consumption is 21,000,000 bales a year. Last year this country made 17,000,000 bales, in round numbers, and the balance of the world, 9,000,000 bales, making 26,000,000 bales. That was 5,000,000 bales extra and this year the world will make 28,000,000 bales, which is 7,000,000 bales extra, which represents 12,000,000 bales and is a little more than a six months' supply.

Mr. WINGO. But the trouble is that the gentleman has added up the surplus of the two years, and there are a good many farmers like he is.

Mr. STEVENSON. We have accumulated it in two years, have we not?

Mr. WINGO. The gentleman is demonstrating that he knows a lot about the law, but not much about mathematics. I am talking about the normal surplus. Now, I understood the gentleman to state that the average consumption was 21,000,000 bales.

Mr. STEVENSON. That is right.

Mr. WINGO. How much did we produce this year? Eighteen million bales.

Mr. STEVENSON. With 9,000,000 bales produced outside.

Mr. WINGO. All right. The gentleman includes what is incorrectly included when they break the price of cotton. They include the nonspinnable cotton. I say that if the gentleman will go to the Agricultural Department, or if he will ask any spinner in the United States, he will be told that ordinarily; and that never before this year have we had a surplus of cotton that represented more than a three-months' supply. This year we have the surplus increased, with what they had last year of spinnable cotton, that may represent not to exceed a six-months' supply for the world. Now, is it not a sad commentary on our marketing system that we have not the marketing machinery to store up a surplus? Is not a surplus necessary? Whenever you have a shortage what happens? You have unsettled prices and you pay an enormous toll. It is to the interest of the cotton farmer as well as to the cotton spinner to have orderly marketing and stability of prices so that the farmer may be sure at all times that he will get a price that is fair, that is profitable, and that business may be upon an even keel, because you know the market will be steady and that the production will be steady. Suppose you do have a surplus of a few hundred million bushels of wheat in a year? If we handle that properly it will be an insurance against the certain shortage that will come, generally, the next year, or, anyway, the next year after that.

What we want to do is not to tell the farmer to quit producing anything; but the problem which confronts agriculture is how to handle what it does produce in such a way as not to break the price, unsettle the markets of the world, and leave agriculture languishing, something in which the business man, the lawyer, the railroad man, and everybody else has a selfish interest.

Mr. LOWREY. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. LOWREY. The question of surplus entirely aside, is it not true that we have a great deal more cultivable land now than we are cultivating and that we are turning it out rather than utilizing it?

Mr. WINGO. Oh, yes; whenever a cotton farmer or a wheat farmer comes to the end of the year and he does not receive enough out of the proceeds of the crop which he has grown to pay for that crop, but has a deficit, he is financially unable to produce the next year's crop, and there is land lying out because he is unable to cultivate it.

The plea I am making is that it is not overproduction that plagues the farmer, but it is our faulty marketing system.

Mr. LEAVITT. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman and gentlemen of the committee, the farmers of the West will be greatly interested in knowing that the attack on reclamation is started in the House of Representatives by the gentleman from Mississippi [Mr. LOWREY] and the gentleman from South Carolina [Mr. STEVENSON] in the midst of talk about a union between the South and the West to solve the agricultural problems of this country.

There were two statements made by these two gentlemen that both illustrate very clearly indeed how much credence and weight should be given to what they have said. The gentle-

man from Mississippi speaks about the burden of taxation on the people of this country to carry on reclamation, evidently being ignorant of the fact that the cost of reclamation is not met by taxes on the people but by the sale of public lands and oil royalties, very largely in the Western States benefited most directly by reclamation.

The gentleman from South Carolina stated that for one day he traveled across the State of Montana on a train and that makes him an authority to speak—

Mr. STEVENSON. No; I did not say that. Will the gentleman yield?

Mr. LEAVITT (continuing). To speak in regard to what happened in the State of Montana during that period leading into the war when there was a rapid expansion in the raising of wheat.

Mr. Chairman, this is an illustration of what we are confronted with in the development of the Western States. It is true that for a period running into the war there was too rapid expansion in the raising of wheat in Montana and that some lands were plowed that it is now known should not have been broken. Some areas should have been kept for the raising of natural forage in connection with the livestock industry. But it is also true that within the last month Montana went into the International Livestock and Grain Show at Chicago and took first, second, third, fourth, fifth, sixth and seventh places in white spring wheat.

It took first and second places in flax, and on early oats it took first to fourth. On hard red winter wheat it took first place. Last year Montana took the sweepstakes on wheat from all the States and Canada. I will not enumerate all, but this proves that the Montana wheat lands, with the exception possibly of Alberta to the north, which has a similar record, produces the highest quality of protein wheat necessary to mix with all other wheat for successful milling. There is no surplus of that kind of wheat. There is a shortage.

So, when he is talking about Montana wheat lands, let the gentleman from South Carolina not get mixed up and think that the outstanding thing is the fact that in some dry years there has been a failure of crops.

This brings me to the necessity of irrigation projects being developed. The question of an agricultural surplus has been well answered by the gentleman from Arkansas [Mr. Wingo]; but in addition to that let us not forget that the things produced on the reclamation projects are not wholly or in great part those things of which there is an agricultural surplus. Some wheat is raised in rotation, but wheat is not the principal product of the reclamation projects. We raise sugar beets on these projects and we produce in this country only 20 per cent of the sugar that we consume, and only 42 per cent, including our possessions. By the development of our western reclamation projects we are merely advancing toward the point where we will be self-supporting, self-sustaining, and independent. We produce alfalfa. We produce beans and peas. We only produce wheat, generally speaking, in a necessary rotation for the proper handling of irrigated lands. Let us also not forget that these reclamation projects give a certain supply of forage in the dry years as well as in the wet years, and that they thus make one firm foundation for the livestock industry of the Western States. In the production of wool and mutton and beef we are not at this time producing all we consume.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. BLANTON. Mr. Chairman, I ask that the gentleman may have five additional minutes.

Mr. LEAVITT. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. BLANTON. May I ask the gentleman a question about Montana?

Mr. LEAVITT. I yield for a question.

Mr. BLANTON. There is in Eureka, Mont., a very valuable plant that is experimenting with wood pulp and I understand that distinguished scientists connected with that plant believe they can use by-products of the farm, such as cottonseed hulls, corn stalks, cane stalks, and various other wasted by-products to great advantage in a scientific way. I understand that Doctor Burgess, of the Bureau of Standards, is going to ask the Appropriations Committee for \$50,000 for experimental purposes along this line. Can not the gentleman do something to help in that respect, because, for instance, there is very little cottonseed hulls brought in, and they are used as fillers by cotton men for their cattle and nothing else. If cottonseed hulls could be used in a scientific mill out in Eureka, Mont., and if

such mills could be established all over the country, it would be a great help to the producers. What is the gentleman going to do with respect to helping Doctor Burgess get this appropriation?

Mr. LEAVITT. I will say to the gentleman that I am glad he has asked that question, because it illustrates this fact: We in the western country are interested in any movement of that kind that will be of assistance to the South, and we likewise want the Members who represent districts all over the United States to remember that the Western States are a part of the Union. Anything in any part of this Union which is constructive in the development of any great resource, that makes possible the support of an increased number of families who can live on the American scale of living is a thing we all ought to be interested in, whether we are from the North, the South, the East, or the West.

In the western part of the United States these reclamation projects give certain assurance of success not only to the people living on the project but to people in great areas of surrounding country.

Last year I was on one reclamation project of small area and was told by people there that each year there were brought into it for wintering 20,000 sheep from different parts of the State. The development of the sugar-beet industry and the production of beet tops and pulp, and, in addition, the alfalfa raised in proper rotation, is making certain a supply of winter forage.

So these reclamation areas are the firm foundations, I repeat, not only of the success of the people who live on them and produce crops of which there is, generally speaking, not a surplus but rather a shortage in this country, but they are also a firm foundation for the success of the livestock industry, made precarious in some instances by the very drought conditions the gentleman from South Carolina speaks of.

His speech gives an added reason for rather than a reason against the projects under development in these Western States. Let us get a national view of it. Let us get the idea that anything that develops any of the resources of any section of the United States we ought to be for rather than be quibbling about it.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. LEAVITT. Certainly.

Mr. TAYLOR of Colorado. The development of the resources of this great United States is not a matter of a few years but of generations, and we ought to take it up with that idea.

Mr. LEAVITT. I thank the gentleman; in 10 or 15 years from now we will have perhaps 130,000,000 people. Reclamation projects are not the development of a year. It takes 5 or 10 years for the works to be constructed and for the soil to be completely conquered. It is not a matter for the moment but a matter for statesmanship in the development of our country. [Applause.]

Mr. BANKHEAD. Mr. Chairman, I move to strike out the first word of the paragraph. I was interested in the statement of the gentleman from Montana [Mr. LEAVITT] when he said that he was somewhat surprised that objections to this reclamation project in the debate came from a gentleman of South Carolina and a gentleman from the State of Mississippi. These gentlemen are entitled to their own views on economic questions, but there are a great many Representatives from the South who believe intensely in the sound economic principle of a real system of national reclamation for western lands and those in other sections of the country. I am one of that number. For a number of years I have had pending before the Committee on Irrigation and Reclamation a bill seeking to set up a real system of national reclamation, the benefits of which would not be received alone by that section of the country where they have arid lands but would also embrace within its terms the reclaimable land of the Great Lakes region and some parts of New England, and that great undeveloped domain of the Southland, which comprises some 15,000,000 acres of the most productive lands in the world if they were drained of the water now upon them. The gentleman from Montana said that probably the statement of the gentlemen from Mississippi and South Carolina was caused by their ignorance of the fact that the funds used by the Reclamation Service were not out of the National Treasury but from the proceeds of the sale of public lands in some Western States. That is entirely true; but the gentleman must also remember that these funds if not applied to this particular purpose under the reclamation act of 1902 would be converted into the General Treasury of the United States.

The position I have occupied on this question for a number of years, and which I expect in the next session of Congress to emphasize and hope to get some action upon, is the fact

adverted to by my friend from Colorado and the gentleman from Montana in his remarks, that the question of reclamation is not in its last analysis a local issue, but one that contemplates the agricultural future of all sections of America and their people where there are waste lands that are available for real reclamation.

In that connection, with reference to the sectional equation, my good friend from Montana may be ignorant of the political phase of the origin of the act establishing the reclamation system, and that is that when that bill was up for consideration in the House of Representatives in 1902 you were only able to pass it by the assistance of the Representatives of the Southern States in the Democratic Party after a caucus under the leadership of OSCAR W. UNDERWOOD, of Alabama, and southern Democrats agreed to join with the western Representatives and pass a national reclamation bill. I remind my friend that even in the origin of this bill long before he came into public life, although we were not to participate in the fruits, the measure received the necessary votes from the South to pass it over the objection of some other sections of the country.

Mr. LEAVITT. Will the gentleman yield?

Mr. BANKHEAD. Certainly.

Mr. LEAVITT. It may be fair to state that the Democratic members of the Committee on Irrigation and Reclamation are thoroughly behind this movement, as I said; and, speaking for myself, I am as much interested in the development of the southern lands and their drainage as I am in the reclamation of the western lands.

Mr. BANKHEAD. I am glad to hear that statement by the gentleman, and we will remember that in the next session of Congress. Now, having laid the predicate, stating my position in general terms, I want to say that some of us are very much opposed to the present system of conducting the reclamation law in the West. I took occasion at the last session of Congress to make a statement pointing out some grave errors in the application of the reclamation act, which I believe would be vouchsafed by men familiar with the question.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BANKHEAD. I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BANKHEAD. I think the original conception of the bill was economically sound with one exception.

The original bill did not provide that those whose property was developed and who would secure the benefits of the use of those lands should pay any interest to the Government of the United States for the use of its construction funds. I think that was a fundamental error in the original bill. I do not think public funds should ever be used for ultimately private benefits without the Government receiving a fair measure of interest upon its funds while they are being used.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. CRAMTON. In my own study of the proposition I am convinced that the defect the gentleman refers to is the root of most of the troubles that the policy has experienced, because it gave the people who are benefited by the use of the fund the impression that it was a sort of gift enterprise, and all of these extensions and charges off I think find their beginning because of that fact.

Mr. BANKHEAD. I am very glad to have the concurrence of the gentleman with my conclusion on that phase of the matter. When you started this system out West you had some areas that were really susceptible of scientific and successful exploitation and reclamation. It became a problem from two points of view—one scientific and the other political. They picked out some reclamation projects that were feasible for reclamation and promised success, and they have done fairly well. Then the political equation entered into it in the committee rooms and on the floor of the two Houses, and for the purpose of making political capital back home there has been put into the construction program of the Reclamation Service some projects that never have been and never will be feasible reclamation projects. They are a waste of money. The Fact Finding Commission's report shows that. The fact that you had to pass a bill last year extending the time in which water users would have to pay back past due sums of money, some of them extending as long as 89 years, some 80 years, some 50 years, tends to show that from a scientific agricultural standpoint some of these projects were not feasible. The Department of Reclamation, through the Secretary of the Interior, has, in my opinion, entered upon a real scientific program in this

work; that is, a 10-year program. I think that the wise course is to follow in the main the recommendations of the department and the director of that service, who know more about it, in my opinion, than we Members of Congress, because they are chargeable with that knowledge, and instead of bringing in subsequently in these bills new projects, some of which have been declared not feasible after mature investigation, instead of bringing in through the committee and not through the recommendation of the department authorizations for extension of existing projects, I think the success of your whole reclamation scheme depends upon following the recommendations of the department, and that that would make a much stronger appeal in fact. I think you should eliminate from some of these appropriation bills the demands of certain Representatives and Senators in respect to certain projects that are not feasible, and let the Department of the Interior and the Reclamation Service, who are charged with the administration of this matter, work out a permanent, consistent, and scientific policy for the administration of this law.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. STEVENSON. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Alabama [Mr. BANKHEAD]. The gentleman from Montana [Mr. LEAVITT] became rather facetious when he said that I rode across Montana and then offered that as evidence that I knew what I was talking about. I say to the gentleman from Montana that I looked behind the scenes in the land banks out in that country and I know what I am talking about from that. I did not say that there was no wheat made in Montana. The Lord knows they make too much of it in some parts, but in that part that is developed, which they sold to the land bank at Spokane at about \$20 an acre and left it on their hands, they did not make any wheat. They did not raise anything but Cain, and will not until they can get the buffalo grass to growing again.

Mr. WINTERS. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Not now. What happened? The land bank at Spokane loaned millions of dollars on this Montana land covering all of what is known as the great triangle, and then it went broke trying to make wheat and could not. They loaned an immense amount of money on this reclamation land down in the great bend or big bend or some such bend, and the alkali came up when they undertook to interfere with the Almighty's arrangement of things and destroyed the value of that, and that got into the hands of the land banks and what happened? They got where they could not go any further and it is just as well for the people of this country to know that. The other banks of the country, one of which is the bank at Columbia, came up and put up \$4,000,000 to take care of those things that the Spokane bank had lost, and they are going to lose practically every dollar of it. They did it in order to enable the West to go on, and the bank at Columbia, the bank at New Orleans; the bank at Houston, Tex.; the bank at Wichita, Kans.; the bank at Springfield, Mass.; and at Baltimore, and all of the other great eastern banks, put up that money because this Spokane bank had lost it upon those things out there that I speak about.

Mr. SUMMERS of Washington. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. And if that is not a national proposition, what is? I yield to the gentleman.

Mr. SUMMERS of Washington. I call the gentleman's attention to the fact that there is no irrigation in the great bend of the Columbia. It must be somewhere else the gentleman is thinking of.

Mr. STEVENSON. It was called the great bend. I saw the records of it in that bank, plenty of them.

Mr. SUMMERS of Washington. These leases were on the dry land as I understand.

Mr. STEVENSON. Yes; but it was out there where they are trying to interfere with the course of nature.

Mr. WINTER. What that land needs is irrigation.

Mr. STEVENSON. No; you could not irrigate it except from heaven, because there is no place to get water. Now, there is this about it.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. STEVENSON. I will.

Mr. CONNALLY of Texas. Is there any real reclamation in trying to put land in such a condition that when it is in that condition it can not produce a crop at a profit?

Mr. STEVENSON. That is the question. There is no such thing as reclamation there. In so far as I am concerned, I am not a local man. I try to legislate for the whole country. Nobody will accuse me of having been narrow in this House on anything in this House in the 10 years I have been here, and I,

as one of the committee, approved of the action of the 11 land banks that came to the relief of that bank out there in Spokane.

Mr. WINGO. Will the gentleman yield?

Mr. STEVENSON. I will.

Mr. WINGO. Have not our friends out west as much right now to make their land productive by putting water on it as you have to take your hill lands and make them productive by putting fertilizer on them?

Mr. STEVENSON. Yes; but I pay for the fertilizer out of my own pocket. They pay for it out of Uncle Sam's pocket, and that is what I object to.

Mr. SUMMERS of Washington. Mr. Chairman, I would like to call attention to the fact that the land the gentleman from South Carolina [Mr. STEVENSON] was talking about is dry land and that is where the financial difficulty arose.

Mr. STEVENSON. If the gentleman will yield, they were made in what is known as the Great Bend project. I may have the rivers mixed up, as that is a long, big country, and it was the Great Bend project.

Mr. SUMMERS of Washington. First, I want to say there is not as much corn and wheat—which are in distress—grown on all the irrigation projects as in two townships of non-irrigated corn and wheat land.

Again, my friend from South Carolina is mistaken. There is no Great Bend project. The gentleman undertakes to argue against reclamation and the strongest point he has made is that a Federal land bank out in that same part of the country lost money during the agricultural depression by loaning money on nonirrigated land. Conditions with that bank are quite satisfactory, however, under its present management, I am informed.

My friend inveighs against human progress. He seems to want everything left as it was created in the beginning.

Well, in the beginning at the end of the seventh day this spot was a forest; no capitol stood here. South Carolina with her cotton fields and factories was not on the map. As a matter of fact, there was not any map; and God in his wisdom did not put the gentleman from South Carolina here until eons later.

But I am glad the gentleman takes a national view of this great subject of reclaiming arid lands.

I have many times pointed to reclamation as a national asset. It has provided homes for tens of thousands of our citizens. It has given a market for the cotton factories of the South—for the looms of New England; for the citrus fruits of Florida; for the mines and factories of the Central States. We thrive on oysters from Baltimore and maple sirup from Vermont. We are a great home market for the products of every State in the Union.

Regardless of all of the misrepresentations that are heaped upon reclamation, it is one of the wisest internal policies ever adopted by the Federal Government!

The Clerk read as follows:

Baker project, Oregon: For commencement of construction, \$450,000.

Mr. BYRNS. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I made this pro forma motion for the purpose of calling attention of the committee to this particular project, particularly in view of what was said on yesterday relative to other projects in this bill which were neither recommended by the Secretary of the Interior or the Director of Reclamation or by the Bureau of the Budget. On yesterday we passed two projects, which I understood to be new developments under the guise of extension of old projects, without any statement being made upon the floor to show the propriety or feasibility of these projects, and I am not prepared to say but that this project out in the State of Oregon is as much justified as the two projects in Idaho passed on yesterday without any effort upon the part of those who represent reclamation States and districts to strike them out.

I have been told that the great State of Idaho has had \$26,000,000 or \$27,000,000 of reclamation funds up to this time, and projects now under contemplation when completed will make \$42,000,000. Some one told me a while ago that was more than twice the amount that had been paid in the reclamation fund in the State of Idaho, whereas I am told the great State of Oregon has not received, up until this time, the amounts paid into the reclamation fund from that State in the way of sale of public lands and possibly royalties on oil. Now, I am perfectly aware that this reclamation fund does not come out of the general treasury, except in the indirect way to which the gentleman from Alabama called attention, but it comes from the sale of public lands and royalties on oil. I have been somewhat surprised that gentlemen upon this floor on both sides of the Chamber who come from reclamation States and represent reclamation districts seem to show such indifference, if I may say so, to the protection of this

fund—this reclamation fund—a part of which is made up of money which comes from their States. The gentlemen seem tongue-tied. The gentleman from Montana, who took occasion a while ago to lecture two gentlemen upon this floor, spoke with eloquence about the importance of reclamation, but when it comes to protecting this reclamation fund he is as silent as an oyster; and the same may be said of other gentlemen upon this floor who come from reclamation States and districts. I want to call attention to what the Secretary of the Interior has to say in regard to this particular project; and I dare say, if he had been called upon and asked to come before the subcommittee, not after the hearings had been closed but while the hearings were in progress, he might have made equally as strong statements against the projects from Idaho, which were put in the bill without his recommendation and without a request from the director. Yet, there was but one Representative from a reclamation State or from a reclamation district, the gentleman from Utah [Mr. LEATHERWOOD], who, upon yesterday, arose for the purpose of offering some criticism of this action in going into this reclamation fund and protesting against action taken in opposition to the recommendations of the Secretary of the Interior.

Mr. HILL of Maryland. Mr. Chairman, will the gentleman yield?

Mr. BYRNS. I will yield in a few moments. The gentleman from Alabama had something to say about the scientific and orderly development of this great improvement out west. We are all in accord with him. But, gentlemen, are you to take only the word of Representatives of this House, no matter how sincere they may be? Tell me what Representative on the floor of this House, whether he comes from the State of Idaho or the State of Oregon or the State of Montana or any other of these great reclamation States, knows more about it than the Secretary of the Interior with all his force of experts, or the Director of Reclamation, Doctor Mead.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BYRNS. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BYRNS. If we are going to proceed along a scientific way and in the proper manner mentioned by the gentleman from Alabama, I say this House should consult those in authority, and if they have not the information, if they are not sufficiently expert, then let the appointing power appoint somebody else to take their places.

What do you and I know about the relative merits of any of these propositions? Yet we are asked to come here and take into consideration new projects proposed by one or two gentlemen upon the subcommittee of the Committee on Appropriations and in direct opposition to the recommendation and the protest of the Secretary of the Interior and the Director of Reclamation. Let me read to you what the Secretary of the Interior had to say about this particular project. You will find it on page 435 of the hearings. He says:

BAKER RECLAMATION PROJECT

I have been advised by the legal force of the department and the Attorney General that all of the items relating to the Baker project heretofore enacted still impose on me the duty and necessity of determining that the project is feasible before undertaking construction. After the most thorough investigations I am convinced it is not feasible and will not return the cost of construction within 40 years. Investigations by qualified men, together with a personal inspection of the project and knowledge gained of transportation and marketing facilities, length of season between frosts, convince me that probably 100 years would be required before the Government could be reimbursed even if prompt settlement were assured. Since under the law the Secretary of the Interior must certify to the President that a project is feasible, under these circumstances I have not felt warranted in proceeding with the construction of the project. If, nevertheless, Congress desires that the project be built, I suggest that the necessary appropriation be made coupled with language which will make it mandatory for me to construct, or, in other words, language which will relieve me from the necessity of finding the project feasible or indorsing its undertaking.

Yet in the face of that statement the committee has placed in this bill a proposition to appropriate \$450,000 to commence work on this project, which we are told will ultimately cost \$6,000,000.

I wish to close by saying to you gentlemen from the reclamation States that this money comes out of the fund which is kept up and maintained by money coming from your States; and here are the facts stated by the Secretary of the Interior. Let us see whether any one of you gentlemen is going to be

tongue-tied on this proposition and whether you will make a motion to strike out this proposition in the interest of the preservation of the reclamation fund. [Applause.]

Mr. HILL of Maryland. Mr. Chairman, will the gentleman yield.

Mr. BYRNS. Yes.

Mr. HILL of Maryland. There was no appropriation made for this in 1927. There was no recommendation for it in the Budget estimates for 1928. Yet the amount recommended in the pending bill is \$450,000. I would like to ask the gentleman about the reclamation fund. Is that a fund separate and apart as an entirely separate fund in the Treasury?

Mr. BYRNS. Yes; I so stated.

Mr. HILL of Maryland. That fund, then, would stand on the same basis of appropriation as the permanent military post construction fund enacted at the last session?

Mr. BYRNS. I will say that this reclamation fund is a fund that represents the sale of public lands and also royalties on oil which come from those States where reclamation is in progress. In 1910, I believe it was, the Government loaned \$20,000,000 to that fund. That is the only interest the Treasury has now, and that loan, I believe, is being repaid in instalments.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. BLANTON. Mr. Chairman, I ask that the gentleman may proceed for two minutes more. I want to ask him a question.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BLANTON. The distinguished gentleman from Tennessee is the ranking minority member on the Committee on Appropriations, and we have the right to look to him to guide us in these matters, proper and improper. Now, this bill was prepared by five members of the subcommittee. When the 35 moguls sat around the table to pass upon the subcommittee's bill, did the gentleman bring this matter of the Baker project, against which the Secretary of the Interior has inveighed so forcefully, to the attention of Mr. MADDEN and his committee and ask them to strike it out?

Mr. BYRNS. What I said on yesterday was that when this matter came up members of the full committee, of course, not having full and complete information as to what had been recommended either by the Secretary of the Interior or by the Budget, I personally asked the question whether or not all of these projects were recommended, and I was told at that time that the Baker project was not so recommended.

Mr. BLANTON. What I am getting at is, does the full committee go into these questions when they pass upon the subcommittee bills which we 400 other Members of the House, who sit here like a bunch of mocking birds, are called to pass upon, and assume that we have knowledge of these matters?

Mr. BYRNS. Yes. This matter was fully discussed in the committee. The two Idaho projects were not discussed. I suppose other members of the committee, like myself, did not know at that time that they had not been recommended. But this was thoroughly discussed at that time.

Mr. BLANTON. Then the full committee of 35 members passed upon a project which the Secretary of the Interior says is not feasible?

Mr. BYRNS. Not all of them, I will say to the gentleman.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. WINGO. No, Mr. Chairman; I want to oppose the pro forma amendment, to add to what I have discussed heretofore; that instead of having one Appropriations Committee you have a group of appropriation committees.

Each subcommittee settles the matter with no vote from the full committee. Here comes our good friend from Tennessee [Mr. BYRNS], a very able member of the committee, and he comes in here "kicking against the pricks," complaining about his own committee, when 30 of them sat down and let 5 of them put this "stupendous mistake," as he terms it, over on him.

He is not as consistent as usual. I do not know anything about the facts he calls attention to. We were told when we appointed this full committee, they would be free from bias; that they would act as statesmen and not be misled by political pressure.

They said they would be free from any political bias; that they would be in that rarefied atmosphere in which the ordinary Member of Congress is not supposed to be, and that they would get the facts and protect all of these funds. I was not so easily misled. I knew that as great as my friend from Tennessee is and as great as my friend from Illinois [Mr. MADDEN] is, they were ordinary human beings like us and that

they would be susceptible to the same mistaken ideas we would be and to the same political pressure we are.

I am surprised, though, that in that very atmosphere the gentleman from Tennessee not only gives away all of his rights to the subcommittee to determine what the bill should be or should do but also advocates a strange doctrine, that "the king can do no wrong," and that we should not consider anything unless some bureau chief recommends it. I have not been able to subscribe to that doctrine. I think it is contrary to the spirit of our Constitution. I say this with no ill will toward the present Secretary of the Interior, but he is like all of them. How on earth could he be what the gentleman from Tennessee says he is, namely, better acquainted with all of these things than Members of Congress? That is beyond my comprehension. But if that be true, why not amend the Constitution and abolish Congress? Why go through this useless form of having us pass these bills if it is sacrilegious for us to dare to try to pass anything unless it gets the approval of some bureaucrat? Surely, my friend is not going to go to that extreme. If he is, he had better change his party designation, because that is something abhorrent to every Democrat's theory of government. We believe the people's Representatives should control the purse strings; that we should originate the policies and that the administrative bureaus of the Government should administer those policies. We believe it is the right of Congress to establish reclamation districts, and then it is the duty of the administrative officers to administer those districts and carry out the policy that has been established by Congress.

As to the merits of it I know nothing, but I will not sit silent without protesting against the doctrine which the gentleman advocates here, that it is an absolute dereliction of duty for you gentlemen to permit something to go through that has not been approved by a bureau chief.

Mr. BYRNS. I think the gentleman has read into my statement something I did not say.

Mr. WINGO. Oh, no. Did not the gentleman complain about the fact that this was opposed by the Secretary of the Interior?

Mr. BYRNS. Absolutely. I was complaining that here is a proposition that 400 Members of this House at least, and more, knew nothing about.

Mr. WINGO. Did not the gentleman go further and say that we did not know as much as the Secretary of the Interior?

Mr. BYRNS. I said that the Secretary of the Interior had full knowledge of all these facts through his corps of experts and engineers.

Mr. WINGO. I want to be fair to the gentleman. In other words, he takes the position now that we are incompetent to act because we have not the facilities to get information, but that the Secretary of the Interior, the bureaucrat, has facilities to get information. Since when did your committee lose its power to procure these facts? If the gentleman felt that this subcommittee had failed in its duty; if he thought the subcommittee had been guilty of logrolling, or if he thought it was yielding to the old pork-barrel spirit, why did not the gentleman exercise the full power of his committee and send for these gentlemen, let the committee have all of the information, and then pass that information on to the Members of this House?

Mr. BYRNS. If the gentleman will permit, I just read to the gentleman what the Secretary of the Interior said, and if I had the time I could read other statements from these hearings showing what these other gentlemen, who the gentleman now complains were not called before the committee, had to say when they were called.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. WINGO. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. WINGO. The gentleman begs the question. The point I made was that instead of taking the conclusions of the Secretary, because he thought the Secretary had better facilities for getting information, he should have gotten his information first hand. If he found that the conclusions of the Secretary were contrary to the conclusions of the subcommittee, why did not the gentleman use the same means of getting information that the Secretary used and not accept the conclusions of the Secretary? The gentleman can call for the information and bring in the witnesses. Oh, no; but the gentleman sitting in that sacred room in there, with all of its mighty power, got up a kind of joint arrangement with these bureaucrats, that the bureaucrats and the Committee on Ap-

appropriations should run the Government, with the understanding that the committee would see to it that the Members of the House would sit around the House and swallow the worms dished out to them. It is that sort of practice against which I protest. It is that undemocratic theory, with which my friend is being inoculated, against which I protest. We find the gentleman from Tennessee accepting the conclusions of the distinguished Secretary of the Interior and not sending for the experts.

Mr. BYRNS. They were before the committee.

Mr. WINGO. Oh, well, I concede you said that was the evidence. I took your witness, now call your next witness and I will talk about that.

Mr. BYRNS. Has the gentleman read the hearings on this subject?

Mr. WINGO. No; I have not.

Mr. BYRNS. Then I respectfully suggest that the gentleman read the hearings and he will not make this speech.

Mr. WINGO. I am taking exactly what the gentleman has said. The gentleman said there was one of them that he complained about and I am just relying upon the gentleman's information. It illustrates the point I am talking about. I can not always even take the conclusions of the distinguished gentleman himself, much less the conclusions of the Secretary of the Interior. I find I am misled as to his conclusions. I find he did not disclose his whole case, that he called only one witness, and according to that witness without calling upon him to present the other evidence which he ought to offer here.

Mr. BYRNS. The gentleman is going to be called on to vote upon a proposition involving ultimately \$6,000,000 and the gentleman says he has not read the hearings and yet the gentleman is making a very entertaining speech, as he always does.

Mr. WINGO. That is the trouble with us ordinary mortals of the House. We can not make ourselves understood by the high and mighty. For 10 minutes I have stood here and protested against the theory of we ordinary Members of the House having to accept what the bureaucrats have said and what the Committee on Appropriations has said, and I am compelled to vote here, with this division in the committee, when all on earth they have given me are the conclusions of the Secretary of the Interior without giving me the evidence backing those conclusions. The gentleman's only protest is that you gentlemen from the reclamation States are showing a selfish, dog-in-the-manger policy of saying, "I will not let anybody else have anything out of this fund."

Mr. STEAGALL. Will the gentleman yield?

Mr. WINGO. I yield.

Mr. STEAGALL. Is there any division in the committee with reference to this provision?

Mr. WINGO. No; the gentleman said they dare not have a division.

Mr. STEAGALL. There is no motion to strike out the provision.

Mr. WINGO. Oh, no; the gentleman from Tennessee just deliberately lectured his colleagues on the committee, and an innocent member like myself did not have any more sense than to suffer the fate of an innocent bystander by butting into the discussion by expressing what an individual member thought.

Why have this gone over here? Why did you not have it out in the full committee?

Mr. BYRNS. I just told the gentleman we did have it before the committee.

Mr. WINGO. Why are you having it here—

Mr. BYRNS. The gentleman ought not to make that statement. I told the gentleman we did have this matter up in the committee.

Mr. WINGO. The gentleman answered the gentleman from Texas and said there was not any vote in the committee. Did not the gentleman say that?

Mr. BYRNS. I said this matter was discussed in the committee and it was—

Mr. WINGO. Oh, yes; "discussed." That is all they do in the committee. The holy of holies rules that we will divide a thing up and the old pork-barrel rule prevails there when five members of a subcommittee act. They are no better than the rest of us Members of the House. It is a matter of "You tickle me and I will tickle you, and we will 'discuss' it. A motion to strike out! Nay, nay, Pauline. We will go into the House and keep our record clear. We may hold up our hands in holy horror, but we will simply 'discuss' it in committee; we dare not override our subcommittee." To such a low estate has the House of Representatives fallen that even if we protest against the incongruity of such action we are lectured and we are told we are not to open our mouths. We

certainly have the right to "kick against the pricks" even if we have to go along and vote like dumb animals.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended.

Mr. WINGO. Oh, no; I am through.

Mr. BANKHEAD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

Mr. CONNALLY of Texas. Mr. Chairman, a point of order. One amendment is not in order until the other is disposed of, and I rise in opposition to the motion of the gentleman from Arkansas.

Mr. WINGO. I did not offer an amendment.

Mr. CONNALLY of Texas. Did not the gentleman offer a motion to strike out?

Mr. WINGO. No. I opposed the pro forma amendment.

The CHAIRMAN. I think the situation is this: The gentleman from Tennessee made a pro forma amendment and that amendment was withdrawn by unanimous consent. Thereupon the gentleman from Arkansas rose and was recognized.

Mr. WINGO. May I correct the Chair? I objected to unanimous consent because I said I wanted to oppose the withdrawal of the pro forma amendment.

The CHAIRMAN. I think the gentleman is correct, but the Chair was probably in error in recognizing him and permitting him to proceed under the circumstances.

Mr. WINGO. I think that is true, Mr. Chairman.

Mr. BANKHEAD. Mr. Chairman, I would be very glad for the gentleman from Texas to be recognized now.

Mr. WINGO. I ask unanimous consent, Mr. Chairman, that the gentleman from Texas may have 5 minutes or 10 minutes, whichever he desires.

The CHAIRMAN. Without objection, the amendment, at the suggestion of the gentleman from Alabama, will not be reported at this time, and the gentleman from Texas will be recognized for five minutes.

There was no objection.

Mr. CONNALLY of Texas. Thank you, Mr. Chairman. The generosity of the Chairman is very much appreciated.

Mr. Chairman and gentlemen of the committee, my very affable and attractive friend from Arkansas, it seems to me, has made an attack upon the gentleman from Tennessee that is wholly uncalled for. However reprehensible the action of the gentleman from Tennessee may appear to be in the eyes of the gentleman from Arkansas, the gentleman from Tennessee is not at all responsible, because he is simply the victim of a system and for that system we are responsible and nobody else.

The gentleman from Arkansas has been here a long time, and occupying a very powerful position on one of the committees must assume his part of the responsibility. That system is this: You know we hear a great deal of talk about concentration of power at Washington and weakening the rights of the States. Concentration is one of the modern trends. It affects not only government, it affects industry, it affects commerce, it affects finance, it affects every modern activity. The tendency is for units to become bigger and more powerful with a smaller number of units.

That same tendency is operating not alone to bring power here to Washington but it is operating as the years go on more strongly within Washington to in turn concentrate power not in the hands of all the Members of a great body like the House of Representatives or the Senate, but the tendency is to concentrate power in the hands of a few men, a few leaders, a few great committees. That is evidenced by the fact that a few years ago we adopted the plan of one Committee on Appropriations. I voted for that proposition. I was a young Member and did not have much experience; but I can see that that system of giving to one great committee the purse strings of the whole Nation, to control all of the departments of this Government is almost, if not wholly, to give to that one committee the power to control this Government.

Mr. NELSON of Wisconsin. Does it not go further than that. Does it not throw it into the hands of a few of that committee?

Mr. CONNALLY of Texas. I will say that it is true in this session, but a session or two ago it was in the hands of the gentleman from Wisconsin and a few of his friends from the Northwest when we had a very close margin in this House. I will get to that in a moment. I have a high respect for the gentleman's opinion on all things except party regularity. [Laughter and applause.]

Now, that tendency to concentrate power is as inexorable, unless we set our faces against it, as are the tides of the sea or the rays of the sun.

What happened? What happened when we gave up this power of control of appropriations? All of us know that the chief interest on this floor is to get money out of the Treasury for some particular interest or activity. We can talk about being statesmen and standing up for great fundamental principles, but when you scratch down under the surface of the principles nine times out of ten there is the dollar mark. Most of the things that affect our legislative business pertain to the Treasury of the United States. Whenever you give one great committee the power to handle the appropriations you are giving it control of the purse, and when you give it control of the purse you are giving it a control almost as great as the control of the sword. It is the Government of the United States.

What is more logical, what is more reasonable in carrying out this system of concentration after you get the power into one big committee, 35 men, than the result? They divide up into subcommittees. We were told that 35 men would pass upon all bills, but each man of that 35 can not know all about the different departments of the Government, so they naturally divide up into subcommittees of five. They have one on the Army, one on the Navy, and they are supposed to be experts on the Army and the Navy. What happens? Everybody that has anything to do with the Navy immediately begins to court the member of the Appropriations Committee on the Naval Committee, and all the little fellows that want to get salaries increased or the party who wants to get something for a shipyard in his district, everybody that has got a contract to build a battleship, courts the naval man, and he becomes the toast of the admirals and the captains and is a popular man in Washington.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CONNALLY of Texas. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. Concentration has affected everything except our speeches. [Laughter.] We are not able to concentrate in that respect.

Now what happened to the Army and the Navy subcommittee happens to the Committee on Agriculture. Every organization in the country that is interested in activities of the Department of Agriculture courts the Subcommittee on Agriculture. Now that is the system. We now have that system, and why is it not natural for a man on the military branch of the Appropriations Committee, in order to establish his control and power over the appropriations that come from his subcommittee, to say to the Subcommittee on Agriculture "we will take whatever you bring out."

How is the man handling the military appropriations going to be assured when he puts his foot down and says a certain thing has got to go—how is he going to make it go unless he can look across the table to the man on the agricultural subcommittee and say "we will take whatever you bring out of your subcommittee, but you must stand by what we do in reference to the military appropriations."

Now what happens later on? They formerly brought in separate bills for the Army and the Navy, and the consolidation was then carried up to the nth power, and then what happens? Our very delectable chairman, that fine gentleman from Illinois, consolidated and turned several bills into one. Instead of having a separate bill for the Army, a separate bill for the Navy, a separate bill for the Department of Justice, they go further and consolidate two or three departments into one bill, and, of course, the prestige and power of the different members became enhanced and increased.

Gentlemen, it is a system. Not being content with abdicating most of the power we had in that regard, we came along and passed the Budget law. The Budget law was a confession by the Representatives of the people that we either did not have the disposition toward economy or that we lacked the power of economy, which was evidence to the country that the Congress was willing to go back on all the records of the past and was willing to abdicate its power and trust to the executive departments alone in the matter of economy and thereby give back to the Executive control of the purse wrung from kings by blood and battle.

Mr. BYRNS. Will the gentleman yield?

Mr. CONNALLY of Texas. I yield to the gentleman.

Mr. BYRNS. Do I understand the gentleman to say that he would favor and vote to repeal the Budget system and go back to the old system that was in vogue before the Budget was established?

Mr. CONNALLY of Texas. The gentleman does not understand me to say that. I know that the gentleman's question is simply propounded by a desire to draw some sort of response.

It is not a poetic license of which he takes advantage, but it is a sort of oratorical license. I recognize the gentleman has a right to that. The gentleman from Texas is very much gratified that he was one of four in this House who did not vote for the Budget law, but I am not prepared to say without study just what system I would propose. However, I am opposed to the Budget system as it is being applied and as it operates to-day. I would much prefer a legislative budget, instead of an executive budget. The House should have a committee on the Budget. The present system operates as a confession that the Congress of the United States, whose only real power lies in the fact that it has control of the purse, is not capable of exercising that control but has to have a Budget Bureau to stand over us with a club, with the Executive controlling the other end of the club, to say when and how and why the Congress of the United States shall appropriate money.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. CONNALLY of Texas. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen, I rose to defend the gentleman from Tennessee [Mr. BYRNS].

Mr. STEAGALL. How many members of the Appropriations Committee are present now? None but the subcommittee.

Mr. BYRNS. Mr. Chairman, I am very much indebted to the gentleman from Texas for his able defense. [Laughter.]

Mr. CONNALLY of Texas. I really am defending the gentleman. It is not his fault, it is the fault of the system. That is a system that we have adopted, and it is going to become more aggravated as time goes on.

Who legislates? The departments. We have an alien property bill coming up here to-morrow or the next day. I do not know who wrote the bill, but the bill last year was written by the Treasury Department. It is sent down here, and it goes through the committee and comes out of the committee as a committee bill. That sort of thing happens with the Committee on Foreign Affairs, of which I am a member.

We are called together when the State Department wants us to do something. When is the Committee on the Judiciary called together—and I am not making any criticism of any particular committee. It is generally when the Department of Justice has something that it wants to put over. That is our system. It is a perfectly natural system. Why do you want to go to the trouble of thinking when you have somebody that is being paid to think for you? Why drive your own automobile when you have a chauffeur to run it for you and somebody is paying the bill? That is one of the natural developments. The gentleman from Tennessee [Mr. BYRNS] is not at fault. The House of Representatives is at fault. All of us are at fault. It is a system that we ourselves have created that is destroying the power and the influence of the House of Representatives of the United States of America. Where is the power to-day? It is over yonder in the other end of the Capitol; and it is in the other end of the Capitol not because the Constitution gives that body more power but because the Senate of the United States, jealous of its power, dares now and then to stand up and defy the Executive. It dares to stand there and retain the full freedom of its right to debate, while in this Chamber those who control its destiny, being afraid of the power that resides among its membership, instead of having freedom of debate, cut off debate on great measures. As I say, we shall have the alien property bill in here to-morrow or the next day, and the report is not yet printed. Debate on great measures is cut off, and we are given weeks of talk on measures amounting to nothing. The reason that the House of Representatives has deteriorated is not because of the quality of brains that sit here in these seats, it is not because of the measure of ability or the intelligence of its membership, for I do not believe its average was ever higher in the history of the Republic, but it is because brains that are not used atrophy just as the body does when it is not used. Power that is not used atrophies and shrivels. The reason that we are becoming weak and impotent is because we are slowly committing hari kari—we are surrendering the power to the Executive and to the Chamber at the other end of this Capitol. [Applause.]

Mr. BANKHEAD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 66, line 23, after the semicolon in line 23, add the following: "and it shall be mandatory upon the part of the Secretary of the Interior to carry on the commencement of such construction."

Mr. CRAMTON. Mr. Chairman, I make the point of order against the amendment that it is legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Alabama desire to be heard?

Mr. BANKHEAD. Yes; I should like to be heard briefly. The gentleman from Tennessee [Mr. BYRNS] only a moment ago read into the Record a statement of the Secretary of the Interior with reference to this Baker reclamation project, to be found on pages 435 and 436 of the hearings of the committee. After setting out his practical objections to allowance of this appropriation and his recommendation against its feasibility, after very full investigation of the facts, he uses this language, and I think it is very properly addressed to the judgment of the House of Representatives as far as this measure now stands. He says:

If, nevertheless, Congress desires that the project be built, I suggest that the necessary appropriation be made, coupled with language to make it mandatory for me to construct, or, in other words, language which will relieve me from the necessity of finding the project feasible or indorsing its undertaking.

The facts in this case, Mr. Chairman, are for some two or three years the Interior Department bill has carried an identical appropriation. It was in effect a mandate to the Secretary of the Interior to carry out the will of Congress on this question, and exercising what he claims to be his prerogative under the circumstances, he has declined to recommend its feasibility and declined to carry on the work of construction which has been authorized by Congress. Now, that presents, it seems to me, a rather deplorable situation, that there should be an impasse between the Secretary of the Interior and the Congress of the United States as to an appropriation bill directing him to do certain work, and he notifies the Congress of the United States in this statement which has been read that if we insist this appropriation shall be carried into effect despite his judgment and despite the discretion lodged in him, he wants the Congress of the United States to say so in the pending bill. I am merely offering those instructions to the Secretary in order that this question may be cleared up as to whether or not an act of Congress shall reach an impasse between the officer whose duty it is to enforce it or whether, as he suggests, the final judgment of Congress be to the effect that he shall carry on this work despite his own judgment and discretion. It is my opinion that the Secretary is right in his conclusions upon this project, but this highly unsatisfactory situation should be reconciled, if possible.

Mr. CRAMTON. Mr. Chairman, without taking time to discuss the effect of the language in the bill coupled with the committee report, the item now before the House accomplishes all the Secretary has recommended, but without discussing that—

Mr. BANKHEAD. Will the gentleman yield for a brief question?

Mr. CRAMTON. Yes.

Mr. BANKHEAD. I want to ask the gentleman, and I am sure he is a very frank-minded man, if this situation remains what would be the result in the future?

Mr. CRAMTON. It is a developing situation, and the House has a right to anticipate, and properly anticipate, that the expression carried in the bill—which I will say is in a different form than it has heretofore been—joined with the committee report disposes of the situation. It does relieve the Secretary of the responsibility he has suggested. But the gentleman's amendment, going away from the merits of it, is legislative in character. I take it the Secretary would proceed. Now, the action of the House in adopting the item in the bill directs him to proceed, but in the customary way of appropriation. Because the gentleman's amendment is of a legislative character I made the point of order.

Mr. BANKHEAD. Mr. Chairman, I concede the point of order is well taken, and offer another amendment.

The CHAIRMAN. The amendment is withdrawn. The Clerk will report the amendment.

The Clerk read as follows:

On page 66, line 23, after the colon, insert: "Provided, It shall not be necessary for the Secretary of the Interior to find such construction feasible or to indorse its undertaking."

Mr. BANKHEAD. Mr. Chairman, that presents the question directly to the judgment of the House of Representatives, and I think it is a matter that ought to have the serious consideration of the House. Some of you gentlemen were not present when we had prior debate on this question and did not hear the statement made by the gentleman from Tennessee in reference to this Baker project. You did not hear

the language of the Secretary of the Interior with reference to it. Now, the facts are, as I understand them, that this item—

Mr. CRAMTON. The gentleman is speaking to his amendment, I understand?

Mr. BANKHEAD. Yes.

Mr. CRAMTON. I have no objection to that amendment. I think it is unnecessary, but I have no objection to it.

Mr. BANKHEAD. I think it is necessary, I will say to the chairman of the committee, and for this reason.

Mr. CRAMTON. I am willing to accept it.

Mr. LEATHERWOOD. If the point of order is not to be insisted upon, I desire to make a point of order.

Mr. BANKHEAD. I want to present to this House, and particularly to those responsible for legislation here, to determine whether or not the Secretary of the Interior upon this question of reclamation projects, whether or not the man in whose hands the execution of this law is directly placed, whose judgment is relied upon in making recommendations and carrying them into effect, whether or not after he has, after deliberation, after full investigation, determined it is not a feasible project it shall be put into execution, or whether this Congress session after session shall do the useless and vain thing of making appropriations to the Secretary of the Interior to carry on such work, he saying, and so saying to Congress, he will not do it unless they have requested him to do it.

Now, that is the situation. It is not creditable either to the executive or the legislative branch of the Congress of the United States. We ought to have this matter clarified as far as possible, and it seems that it is necessary to clarify it by an amendment of this sort. If you gentlemen want to accept the responsibility of turning down the Secretary of the Interior and accepting the recommendations of your committee, that responsibility is squarely put upon you by this amendment. The responsibility rests squarely upon those directly interested in reclamation in the arid regions of the West. I think this is an amendment that ought to be voted up or down without much argument.

Mr. LEATHERWOOD. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Utah is recognized.

Mr. LEATHERWOOD. I do not seek the floor at this time to in any way oppose the purpose of the paragraph that has occasioned this controversy, but I think it would be a very dangerous precedent for this committee to adopt the amendment. We have existing law covering this situation. The Secretary of the Interior has nothing to do except to follow what he believes to be existing law. Now, if we amend existing law by adopting this amendment, I think, gentlemen, we will have gone a long way toward destroying the very purpose of the reclamation act, and we will have thrown down the bars for the interjection into the question of reclamation a proposition that would be most dangerous.

Much as I desire to see my friend from Oregon secure what he desires, yet I think that this amendment ought not to be attached to this paragraph, because of the danger to the proposition as a whole by incorporating it here without due consideration, without any deliberation. It is amending existing law and throwing down the bars, so that there is no discretion left with the Secretary, and the subcommittee of this House can go ahead, as it attempts to do in some cases, and order the construction of a reclamation project against the judgment of those who have in charge the execution of the law.

Mr. BLANTON. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. BLANTON. We have a remarkable situation here when the chairman of a subcommittee will let go into a bill three projects not authorized by the Budget; one of them, at least, forcefully inveighed against by the Secretary of the Interior as not feasible, and aggregating \$1,250,000, and have a piece of legislation offered from the floor to make the expenditure of this money for these projects sure, and never make a point of order against it.

That is the situation. This amendment is clearly subject to a point of order. It interferes with the discretion of the Secretary of the Interior in passing upon such matters. Yet the chairman sits here in his seat and lets it go by and never objects to it, when he could stop it with a point of order.

I think the time has come when we Members must pay more attention to these appropriation bills. We are going to have to look into them a little more closely, for we can not depend upon the judgment of our friends on this great committee when we find such spectacles as this on the floor of the House.

Now, I have been following the gentleman from Michigan [Mr. CRAMTON]. I thought he was looking after such matters and keeping improper legislation out of these bills, and I have been following him, but I can not follow him any more.

Mr. CRAMTON. Mr. Chairman, it is not an easy matter to pilot one of these bills through the House, not knowing what any member of the Committee of the Whole is going to suggest or from what angle an attack may come.

The amendments that have been offered by the gentleman from Alabama [Mr. BANKHEAD] were amendments that I hoped would not be offered. The first amendment was clearly subject to a point of order, and I made the point of order. The second amendment which was offered, the gentleman from Alabama had a perfect right to offer, without my knowing anything about it, and, unexpectedly to me, withdrawing his former amendment, which, as I say, he had the right to do. I permitted him to go ahead with his debate on the amendment without making a point of order, saying that I did not think the amendment was necessary, and that I would not object to it.

The amendment provides that it shall not be necessary for the Secretary of the Interior to find such construction feasible or to indorse its undertaking. Without the amendment in the bill that would be perfectly true. If the House adopts the bill just as the committee reported it, it will not be necessary under the reclamation law or any other law for the Secretary of the Interior to find its execution feasible or indorse its undertaking.

Mr. BANKHEAD. If that be true, will the gentleman inform us why is it that the Secretary of the Interior found it necessary to make the statement to your committee and to Congress that he did make?

Mr. CRAMTON. I think perhaps my statement will reach that point, and perhaps the thing to do is to give to the House now a history of this project and a statement of the situation.

BAKER PROJECT SUPPORTED ON ITS MERITS

I believe those Members who have been here in the last six years while I have had the responsibility of leadership on this bill will do me the justice of feeling that I work on the bill, and that with my colleagues on the committee we try earnestly to bring the bill to the House in the best shape we know how. Due to the fact that matters involved in the bill do not involve my State but involve another great section of the country, the House knows that I am not subject to any selfish motives in connection with any of these items; I am not subject to any political pressure with reference to these items except possibly in the matter of reclamation, where there is occasionally expressed in my State and some other States some opposition to the development of new lands in the West.

In my study of that question I have felt it was in the interest of my State and other Eastern States that these lands of the West should be developed. I think the development of the Nation comes with the advancement and prosperity of each section of the country. So our committee looks at this in a broad way.

Now, we are committed to a program in the Appropriations Committee of keeping below the Budget totals, and there has been no bill brought in from my subcommittee in six years but what has been materially below the Budget totals.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. CRAMTON. Mr. Chairman, I shall ask for 10 minutes more.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for 10 additional minutes. Is there objection?

There was no objection.

COMMITTEE ALWAYS BELOW BUDGET TOTAL

Mr. CRAMTON. If our committee were to adopt the policy that has been suggested and should refuse to give consideration to any item not submitted by the Budget I do not believe the Budget system would last long. Regardless of the merits, regardless of whether the total is within the Budget or not, if we should say that no item, however meritorious, can be approved, if we should say that an item can not receive favorable consideration in this House unless it is sent here with the approval of a bureau chief, the House would not long stand for that kind of a program.

BAKER RECOMMENDED BY DEPARTMENT 1923

The item with reference to the construction of the Baker project came to the Congress in connection with the 1923 appropriations for the Interior Department. It came with the approval of Arthur P. Davis, then the head of the Reclamation

Service, and there has never been before nor since a better man at the head of that service than Arthur P. Davis nor any man in whom we have had greater confidence. It came with the approval of the Budget and the Secretary of the Interior, and sitting there with those gentlemen across the table from us we approved of their recommendation.

This Congress approved it. It was announced to the people of that section that the Baker project would be built. Formerly there had been the policy of appropriating more money than there would be in the reclamation fund and every year there were disappointments that work appropriated for was not done, but our committee adopted the policy of seeing that the total each year was within the amount that would be available in the fund; so it was understood, when an appropriation was made, that the work would go ahead. We appropriated for the Baker project something like half a million dollars in the Interior Department bill for 1923.

DEPARTMENT AGAIN RECOMMENDS IN 1924

In 1924 there came before us again an item, approved by the Budget, approved by the Reclamation Service, and approved by the Secretary of the Interior, asking a reappropriation of the amount unexpended, and we acceded to their request. At that time Director A. P. Davis said:

The dam site is being investigated and it is expected that right of way will be secured and construction work begun during the fiscal year 1923.

BAKER UNDERGOES THE ACID TEST

Nineteen hundred and twenty-five was the third year. That year there was no estimate before us. The Reclamation Service in their preliminary estimate sent to the Budget asked \$750,000 for the Baker, but when obliged to reduce their estimates they cut out the Baker.

That the House may properly understand the history of the appropriations for the Baker project, let me quote something from our hearings. In our hearings on the appropriation bill for the fiscal year 1925, when D. W. Davis, the Commissioner of Reclamation, appeared before our committee, this appears:

Mr. CRAMTON. We will return, gentlemen, to one item that is not carried this year in the bill—the Baker project of Oregon. In taking up the consideration of that item, I think I should make a statement. I have heretofore said that it is not the policy of this committee to give consideration to appropriations for any new project in the 1925 bill. I have, however, emphasized that Congress in 1914 took from the Reclamation Service the authority to designate new projects and expressly reserved that authority to itself. The procedure has been to make those designations through the appropriation bills for construction purposes. The Congress appropriated in the 1923 bill \$400,000 for the Baker project and in the 1924 bill \$500,000. The 1923 appropriation substantially lapsed, and I understand it is expected the current appropriation substantially will lapse.

As I have suggested this morning, Commissioner Davis, if, following the designation of a project by Congress, the Reclamation Service should secure new information which gives it reason to believe the project is not feasible, I think the service would do the right thing to defer action until Congress can be made acquainted with the facts, and then Congress may make the decision. It is to be remembered, however, the decision is for Congress and not for the Reclamation Service. The action of Congress for two successive years has been to designate the Baker project. No explanation has come to Congress from the Reclamation Service as to its failure to proceed with the construction of the project as instructed by Congress, or its failure to ask from the Congress or the Budget a further express appropriation for the Baker project. The committee owes it to Congress to investigate fully such a situation.

The committee then had before it the results of the investigations and reports to that time, the latest then available being that of the board of engineers of the Reclamation Service, James Munn, J. L. Savage, and C. C. Fisher, which recommended favorable consideration for the project upon certain conditions, all of which have been or can be conformed to. The annual report of the Commissioner of Reclamation for the year ending June 30, 1923, summarized that report of the engineers, and states:

The investigation of the Baker project was completed in May, 1923, and the equipment and organization were transferred to other projects.

This further appeared in those hearings on the 1925 bill:

Mr. CRAMTON. There is just one question I would like to ask, Commissioner Davis, and it must not be taken to forecast in any way the action of the committee, because I do not know my own attitude, to say nothing of that of the committee. But in the event that Congress—and I can speak for Congress even less than I can for this

committee—in the event that Congress for the third time should make an appropriation for the Baker project, what is likely to be the course of the Reclamation Service with reference to it, Commissioner Davis?

Mr. DAVIS. Mr. Chairman, the Bureau of Reclamation is willing to carry out any official orders to build any project, I assure you.

Mr. CRAMTON. They would understand that if an appropriation was made a third time, Congress really meant it—like the man that was thrown down stairs finally concluded that they did not want him up there.

Mr. DAVIS. I can not answer for the Secretary, Mr. Chairman, but your question as stated should be addressed to the Interior Department, and not to the bureau.

Mr. CRAMTON. Yes; you can not speak for the Interior Department. I do not know what will be the action of this committee or of Congress; but I am suggesting that the Interior Department, in the event that an appropriation is made the third time for that project, the Interior Department might well consider that Congress really wanted that project built and proceed accordingly.

At the time those hearings were in progress a report from the Department of Agriculture upon the Baker was anticipated and by our insistence reached our committee before the bill was reported. That report resulted from an investigation of the project at the request of the Secretary of the Interior by R. P. Teele of division of land economics of the Bureau of Agricultural Economics and two other officials of the Department of Agriculture. It was a test such as no other Reclamation Service project has undergone.

I hold in my hand a copy of that report. One of the investigators from the Department of Agriculture was R. P. Teele. If you will look at the Farm and Fireside Magazine for last October, you will find an article "Reclamation has failed," in which it is stated:

A study of reclamation results in the United States was recently made by R. P. Teele, an economist in the Department of Agriculture. The facts and conclusions I am presenting in this article are derived largely from his reports.

"Reclamation has failed financially," Mr. Teele says, "because it has been pushed too far ahead of the effective demand for additional farm land."

R. P. Teele was the man who influenced this report. It is not markedly opposed to the project, but it is simply along the lines of his theory that there ought to be no irrigation development at this time. If he had been called on to investigate other projects that are now being initiated, none of them would have survived his acid test; but for some reason the Baker project was the only one which, after having been given an appropriation by Congress for three successive years, the Agricultural Department was asked to investigate and report upon.

The aspect especially emphasized by this report, as may well be expected, is set forth succinctly in this paragraph in the summary of that report:

At present there is little demand for agricultural land, and improved farms in many established communities can be purchased for less than the water charges on this project. It seems probable, therefore, that there would be difficulty and delay in obtaining settlers.

Teele would have turned down the Vale, the Owyhee, the River-ton, or any extension of the Sun River, all of which have been continuously supported by Secretary Work while he has opposed the Baker. But Teele was not asked to investigate any except the Baker.

The committee recommended and Congress approved in the 1925 bill the appropriation for the Baker for the third time.

MEAD INDORSES BAKER PROJECT FOR 1926

In November, 1924, the committee had before it the estimates for the 1926 bill, with nothing in the estimates for the Baker. We had before us a press release from the office of Secretary Work under date of October 13, 1924, which read in part:

Favorable reports on the economic, agricultural, and land development feasibility of six proposed new reclamation projects located in Western States have been received in the Department of the Interior from committees sent out months ago to study those projects.

The projects include Vale and Baker to Oregon, the Kittitas in Washington, the Owyhee in Oregon and Idaho, the Salt Lake Basin in Utah, and the Spanish Springs in Nevada. Previously these projects had been recommended as feasible from an engineering standpoint, but whether they would prove an economic, agricultural, and financial success for the farmers who settled on them was in doubt.

In accordance with recommendations made by the fact-finding committee on reclamation, investigations have been conducted on each of them by professors of the State agricultural colleges in which they are located, State agricultural officials, and local bankers. Their reports have just been received at the Reclamation Bureau. In the case of each of the projects the findings are favorable, provided they can be developed under the policies and methods recommended by the committee of special advisers on reclamation. A summary of these reports, with the names of the members of the investigation committee, follows:

BAKER PROJECT, OREGON

The committee investigating the agricultural, economic, and financial phases of this project consisted of Prof. G. R. Hyslop, professor of farm groups, Oregon Agricultural College; M. H. Lapham, associate soil technologist, Bureau of Soils (who was one of the investigators for the Department of Agriculture in 1923, above referred to); and George C. Imrie, irrigation engineer, Reclamation Bureau. The local committee of bankers and business men included William Pollman, T. G. Montgomery, F. A. Phillips, and W. A. Stewart, of Baker, Ore. * * * In its conclusions the committee finds that on a basis of these recommendations with agricultural and land settlement the project will succeed, providing the repayment of construction charges to the Government is fixed at a rate of 5 per cent of the gross annual returns.

In connection with those reports, Director Mead presented a table of economic data regarding five proposed projects, which 10 days later he submitted in revised form, as follows:

Items	Name of projects				
	Baker	Vale	Owyhee	Spanish Springs	Kittitas
Total irrigable (acres).....	27,000	28,000	¹ 80,960 ² 46,900 ³ 12,000	46,600	70,000
Private (acres).....	15,000	24,000	121,560	30,600	65,000
Public (acres).....	12,000	4,000	18,000	16,000	5,000
Estimated cost of works.....	\$4,000,000	\$3,587,000	\$16,800,000	\$6,404,000	\$8,756,000
Per acre.....	\$148	\$128	¹ \$137 ² \$117 ³ \$75	\$138	⁴ \$125
Additional acre cost of farm development.....	\$100	\$150	\$150	\$160	\$112
Size farm unit (acres).....	60-80	20-80	20-80	50	80
Capital a settler will need.....	\$2,000-\$4,000	\$2,500-\$5,000	\$2,500-\$5,000	\$1,500-\$7,500	\$2,500-\$6,000
Amount cost to develop.....	\$6,000-\$8,000	\$7,500	\$7,500	\$8,000	\$6,000-\$12,000
Estimated acre income.....	\$37	\$35	\$40	\$50	(⁵)
Years needed to repay construction cost ⁶	80	73	68	55	(⁷)
Number new settlers needed.....	250	575	1,500	750	500

¹ New lands: full water supply.

² Pumping districts.

³ Owyhee ditch, partial water right.

⁴ Engineer estimates cost may be \$137 per acre.

⁵ Estimated for dairy farm.

⁶ Original statement 117 to 133 years. In revised statement reasons given that would shorten the period.

⁷ Based on 5 per cent of gross crop returns plan.

No general investigation of the Baker has followed that, so far as our committee is advised, and that table, following the economic survey of the five proposed new projects and a year after the Teele report for the Department of Agriculture,

gives the comparison of those projects as summarized by Director Mead for our committee. It will be realized how favorably the Baker compares with the proposed new projects which have the favor of the Department of the In-

terior, when it is noted that it has the largest proportion of public land; that while the cost per acre for the water right is from \$10 to \$23 per acre above the others, the cost for farm development will be from \$12 to \$60 per acre less, the capital a settler will need is the lowest, and the number of new settlers small enough to be reasonably expected adjacent as the Baker is to developed territory. While the cost of the water right runs a little higher, it is to be remembered that under present law that cost is payable without interest over a 40-year period. At the same time the cost of farm development must be taken care of by the settler from his own means, or if borrowed on loans at interest for a few years at most.

The favorable attitude of Director Mead toward the Baker project at that time, after all these investigations by the Reclamation Service, by the Department of Agriculture, and by special commissions of economic, agricultural, and financial experts, was definitely expressed by him in that hearing, as note the following:

Mr. CRAMTON. This committee went into the matter, everything that the department could furnish us on the situation, and as a result, for the third time Congress appropriated for this project by reappropriating for 1925 that which was unexpended for 1924. That is, we made available approximately \$500,000 for the current year. In the Budget that is before us there is nothing for the Baker project. What has the department done with reference to the expenditure of the \$500,000 available for this year?

Doctor MEAD. We were confronted with the need for a modification of the district's boundaries, which was raised in a report prepared by the Department of Agriculture.

Mr. CRAMTON. But you were aware that that report was before this committee when we recommended the appropriation?

Doctor MEAD. Yes. Well, that raised a question of modifying the boundaries of the district that voted to pay for the project. We appointed a committee to make an economic investigation, and they made some further changes. Then we requested the district authorities to modify the district boundaries so they would conform with these reports. In the meantime we are resurveying the canal so that it will best serve the approved area, and I have been pressing the district to hasten these preparatory steps so that they can enter into a contract, and as soon as they do we expect to begin construction.

Mr. CRAMTON. So you expect during the present year to begin construction with that \$500,000?

Doctor MEAD. Yes.

Mr. CRAMTON. And why is there not any request made for 1926 for continuing?

Doctor MEAD. We want that reappropriated.

Mr. CRAMTON. Oh, they want that reappropriated? Why is not that requested, then?

Doctor MEAD. I did not know that that was necessary.

Mr. CRAMTON. You do desire that?

Doctor MEAD. Yes.

Mr. CRAMTON. So it is the intention of the department to proceed with that?

Doctor MEAD. I want to correct the earlier statements and say that we did put in a request to the Budget Bureau for an appropriation—a request for \$750,000 for the Baker project.

Mr. CRAMTON. Your original statement, then, your preliminary budget, gave it as their opinion that \$200,000 would remain as the unexpended balance of the 1925 appropriation, and then you contemplated \$550,000 additional, apparently.

Doctor MEAD. Yes.

Mr. CRAMTON. Now, you think that none of the \$500,000 will be spent this year?

Doctor MEAD. No; we expect to begin construction in the spring.

Then on pages 485, 487, and 488 of the hearings on the 1926 bill follow statements of Director Mead and Engineer Walter as to their program for construction of the Baker project at a total estimated cost of \$3,618,650.

And the committee recommended and Congress approved the reappropriation of the unexpended balance of nearly \$500,000.

FIRST EXPRESS DISAPPROVAL BY INTERIOR DEPARTMENT

When a year ago the committee had under consideration the estimates for the 1927 Interior Department bill, Doctor Mead was heard on the Baker project, November 28, 1925. This there appears:

Doctor MEAD. I will say this, that it does not appear in the estimates this year because of direction from the Secretary that it be omitted, because of his belief that he could not support its development, as he feels he is required to support appropriations of this kind if he recommends them.

Mr. CRAMTON. In effect, the department has been against the construction of the project and does not believe the project is feasible.

It does not believe it wise to go ahead with the construction of the project; is that correct?

Doctor MEAD. With the law as it now stands, with no aid or direction in settlement or farm development, this project is not feasible.

Then the fifth year of our consideration was the first adverse recommendation by the Secretary directly to reach our committee. And in the same hearings we were told the other proposed projects were not feasible unless financial aid, and so forth, for the settlers was provided. But those other projects are under construction without definite provision for that aid, while on the Baker that aid is offered and the project is rejected by the Secretary.

ENGINEER'S SUMMARY ON BAKER

Shortly before I made my second visit to the project Director Mead furnished me this copy of a statement to him by Chief Engineer Walter, which is the latest report our committee has as to cost, and so forth, of the Baker:

DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Denver, Colo., August 14, 1925.

Dr. ELWOOD MEAD,

Commissioner, Bureau of Reclamation,

Washington, D. C.

DEAR DOCTOR MEAD: I have your letter of August 4 relative to the estimated per-acre cost of the proposed Baker project in Oregon, and do not wonder that you are confused, as numerous boards have juggled these estimates, and some figures, such as those referred to in your letter, as set out in these various board reports are not based on logical conclusions drawn from application of the engineering estimates to the new conditions created by a change in the irrigation plan and irrigable areas.

I have prepared and attach a copy of the comparative estimates resulting from the five late board reports which have been issued on this project, in connection with which the following chronological history thereof is necessary to a clear understanding.

The original survey and investigation was made by C. C. Fisher in 1921 and 1922 and the results thereof given in his report dated April, 1922; all subsequent estimates are based on the data given in this report, altered to meet the conditions due to requirements for less reservoir capacity and smaller canals on account of the reduction in irrigable areas.

Mr. Fisher's estimate was \$4,395,300 for a reservoir capacity of 130,000 acre-feet and canal system to irrigate the total area of 37,500 acres, or \$133.20 and \$54.10, respectively, for new and old lands under existing canals requiring storage only.

Review of the irrigable area after conference with old landowners and study of Mr. Fisher's report by a board, consisting of Munn, Savage, and Fisher, resulted in reductions of the irrigable area to 29,000 acres, necessitating reduction in storage and canal capacity, and a revised estimate was prepared for a reservoir capacity of 95,000 acre-feet and reduced canal capacity. The results as given in board report of January, 1923, show an estimated cost of \$4,140,770, or \$157.84 and \$48.71 per acre, respectively, for new and old project lands under canals requiring storage only. This estimate, you will note, decreased the storage cost considerably, but, due to anticipated difficulties, changed the total estimated cost for the distribution system but slightly.

This total estimate was used without reduction in the report of the Agricultural Department in the fall of 1923, and the Kreutzer-Hyslop board in September, 1924, although irrigable areas were greatly reduced. These reports therefore show an erroneous total and per acre estimated cost.

In order to correct this condition and revise the estimate to agree with the requirements for the revised and reduced irrigable area, the last report dated October, 1924, was compiled based on a storage capacity of 80,000 acre-feet and reduced canal capacity required for 26,931 acres as found irrigable by the Kreutzer-Hyslop board, which resulted in an estimate of \$3,719,234, or, after deducting \$100,583 for half of the estimated cost for relocation of the Union Pacific Railroad through the smaller site, \$3,618,651, or \$147.33 and \$36.92, respectively, for new lands and lands partially irrigated by flood water from creeks described in the Kreutzer-Hyslop report as "local bottom lands."

There seems to have been some error made in assuming that local bottom lands would require storage only, for if irrigated, capacity in the main canal at least would be also necessary and I believe, except as to any areas of such that might fall below the old canals on the river bottom, a full charge should be made therefor. If so, the average per acre estimate for the 26,931 acres found irrigable in the Kreutzer-Hyslop report would be \$138 per acre, which has been generally quoted.

The maximum liability which I recommended for the contract, and which I understand the district has adopted in the proposed contract to be voted, is \$4,000,000, or an average for the 26,931 acres of \$148.53 an acre, and for all practical purposes this might be stated as \$150 an

acre. This will give a surplus of \$280,766 over the final revised estimated cost, which is increased to \$381,349 if the railroad company pay for half cost of the railroad relocation as they verbally have agreed to do.

The \$4,000,000 maximum liability used in the contract I am sure is safe for the 26,931 acres, but the maximum cost per acre will, of course, depend on the results of the classification adopted shown in the Kreutzer-Hyslop report, as follows:

	Acres
A, first class.....	6,305
B, second class.....	5,624
C, third class.....	12,574
Local bottom lands.....	2,428
Total irrigable.....	26,931

Yours truly,

R. F. WALTER, *Chief Engineer.*

THOSE MISGIVINGS ABOUT TOPOGRAPHY

The committee, by our personal inspection of the project, felt the bureau was eliminating good lands by their rule cutting out all over 15 per cent in grade, since many acres adjacent are being successfully irrigated with a higher grade. This view is fortified by the following statement from the best authority on Oregon irrigation.

OREGON AGRICULTURAL COLLEGE,
EXTENSION SERVICE,
Corvallis, Oreg., January 13, 1926.

The Hon. N. J. SINNOTT,

House of Representatives, Washington, D. C.

DEAR MR. SINNOTT: The Portland Oregonian of January 6 carries a story to the effect that you have been considerably embarrassed by the way in which the Baker project has been handled.

I desire to present some data on this project, having served at the request of the Bureau of Reclamation as an Oregon Experiment Station representative on their economic committee to study the Baker project. With me on this committee was a representative of the United States Bureau of Soils, who is one of the most experienced soil classification experts in the United States. There were also two representatives of the Bureau of Reclamation, both of whom have had wide experience in reclamation projects from the standpoint of construction, operation, and returns. This committee spent several days in a careful study of the project itself and of the reports that had been previously made on it. After due consideration the project was reported feasible.

A great many people, including some members of the committee, who are accustomed to the usual type of reclamation project, Government and otherwise, had some misgivings about the topography of the Baker project, so at my suggestion the committee was taken to an area now under irrigation in Baker County—that is, a really steep area—that we might have opportunity to see something of the production on steep land, and something of the way in which the water was handled.

We went a few miles over into Eagle Valley, and we found alfalfa being produced successfully and, I believe, the finest irrigated pasture that I have ever seen, not in isolated cases, but rather frequently on land far steeper than any that is included as feasible in the Baker report. It is true that reasonable care must be taken in bringing such land under irrigation, but as it has been worked out in Eagle Valley the preparation of the land for irrigation and the application of water are very much simpler on these steep lands than on the slightly rolling ones or on the quite flat ones. Another point that is of great consequence is that there is no alkali trouble on these steep lands.

Going through the Baker County area on the highway is another excellent example. A lot of land was irrigated years ago that has gone completely bad with alkali. This was the so-called ideal land for irrigation, because it was pretty level. However, it became waterlogged and finally so alkaline that it is of very small consequence as agricultural land. As one goes out to the edges of the valley and gets out on the steeper land in the vicinity of Rock Creek and Muddy Creek there they have grown and are still growing excellent crops under irrigation and have been doing so for many years.

I have a feeling that the prejudice against the steep land is based to a considerable extent on inexperience with this type of soil, and while that land may not be suited to all kinds of crops, certainly a very successful agriculture has been developed on a good many lands considerably steeper than those of the Baker project.

This committee had no desire to add to the bureau's collection of white elephants, and I see a good deal more possibility for production on the Baker project than on any other old project now in Oregon.

Very truly yours,

OREGON EXPERIMENT STATION,
By G. R. HYSLOP, *Agronomist.*

In the fall of 1925 Secretary Work paid a visit to the Baker, and the gentleman from Idaho [Mr. FRENCH] and I visited it for the second time shortly thereafter. We went entirely through the proposed project.

The committee hearings a year ago, for and against the project, in connection with the 1927 bill, occupy about 40 pages. In all, no other project has ever been so fully investigated and examined and considered by Congress as the Baker. And, following our best judgment, our committee again recommended a reappropriation for the Baker and the House approved it.

Later, when the bill was in conference, the following language was agreed upon:

No part of the sums provided for in this act for the Sun River, Owyhee, Vale, and Baker projects shall be expended for construction purposes until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or irrigation districts organized under State law providing for payment by the district or districts of the cost of constructing, operating, and maintaining the works during the time they are in control of the United States, such cost of constructing to be repaid within such terms of years as the Secretary may find to be necessary, in any event not more than 40 years from the date of public notice hereinafter referred to, and the execution of said contract or contracts shall have been confirmed by a decree of a court of competent jurisdiction. Upon such confirmation of such contract as to any one of such projects, the construction thereof shall proceed in accordance with any appropriations therefor provided for in this act. * * *

While the bill was pending in conference the Secretary of the Interior wrote letters in which he stated that if appropriations were made for construction of these new projects without provision for financing the settlers, he did not regard the projects as feasible, and he would not proceed with the construction unless some mandatory language should be used. The Senate and House conferees finally agreed upon language relating to these several new projects. The attitude of the Secretary of the Interior having been made clear in the conference, and the action of the conferees having eliminated all provision for any financing of settlers, either out of the reclamation fund or through State or local cooperation, and it being the desire of the conferees to relieve the Secretary of the Interior of responsibility for proceeding with the construction of these projects in the absence of any such provision, in order to conform to his suggestion that mandatory language should be used, the conferees agreed upon this language that I have read.

When that language was reported to the House, the managers on the part of the House in the conference report, on page 7, stated with reference to this language:

Adds new language, mandatory in character, requiring that when such condition precedents the execution of the required contract and its confirmation shall have been complied with, the Secretary of the Interior shall proceed to construct the projects referred to.

Furthermore, on April 20, 1926, page 7714 of the CONGRESSIONAL RECORD, in explaining that report, I made this statement on the floor of the House:

During the time that this matter has been under consideration in conference the department has indicated that in the absence of the Federal financing program the department will use its own discretion with reference to construction of these projects in the absence of mandatory language. To manifest the intention of Congress, therefore, the following sentence has been inserted:

Upon such confirmation of such contract as to any one of such projects, the construction thereof shall proceed in accordance with any appropriations therefor provided for in this act.

That, approved by Congress and signed by the President, became the law.

HOW SHALL CONGRESS GIVE ITS MANDATE?

When it first came to my attention that the Secretary of the Interior was questioning the mandatory character of that language I was in Europe. Congressman SINNOTT had brought it to the attention of my office. My secretary at that time advised me, and on date of July 31, 1926, from Belfort, France, I addressed a letter to Congressman SINNOTT, which letter was written without access to my files, expressing my views in connection with the situation that had developed. I will insert that letter:

BELFORT, FRANCE, July 31, 1926.

Hon. N. J. SINNOTT, M. C.,

Washington, D. C.

MY DEAR SINNOTT: Through my office I learn that it is your understanding that the Secretary of the Interior has requested a ruling from the Attorney General as to whether the language used in the 1927 Interior appropriation bill as to the Baker project is mandatory, and that you understand the ruling of the Attorney General to be that the language is not mandatory.

Of course, I have not seen the request of Secretary Work or the ruling of the Attorney General. I am, however, much at a loss to understand any question being raised by the Secretary of the Interior as to this, and think you must be misinformed. Since you are not ordinarily given to acting upon indefinite information, and my office states you seemed interested in some expression from me as to my understanding, I am writing you this.

If by "mandatory" is meant a provision capable of enforcement by mandamus or otherwise, it is possible that a question may exist and may even be probable that the reported ruling of the Attorney General is correct.

In drafting the provision in question I did not seek language mandatory in that sense and did not dream such language would be necessary, and can not now believe it necessary for Congress to use such language in making its wishes known to the head of an executive department.

As you will recall, when Congress had under consideration the reclamation appropriations with reference to certain new projects, including the Baker, the Secretary of the Interior indicated he would not build the Baker and others under certain conditions unless Congress used mandatory language. I understood that to mean that if discretion were left to him he would not under those conditions begin construction. I therefore prepared the language in the bill, which has been approved by Congress and the President, which takes the question clearly out of the discretion of the Secretary. It is clearly mandatory in the sense that Congress takes the entire responsibility. The law says that when certain conditions are complied with the Secretary "shall" begin construction. Whether such construction is wise or foolish is no longer for the Secretary to decide. The law says the construction shall be carried forward by the Secretary through the Reclamation Service, and Congress is responsible for that decision. The only responsibility of the Secretary is to carry into effect efficiently the decision of the law-making body as approved by the President.

The language used is clear; the Secretary has personal knowledge of the fact it was used to meet his suggestion that mandatory language would be necessary to secure action by him, and, either in the conference committee report or in debate on the floor or both, I explained the purpose of the language and the necessity for it. I further said then that language more compulsory in character could be used, but was not deemed necessary. I still do not believe language strictly compulsory in legal character is necessary. Certainly the relations between Congress and the executive departments would be in a highly unsatisfactory state if the known will of Congress, duly enacted into law with intent well understood by the executive department affected, should be set at naught and Congress told in effect it must use language capable of enforcement by mandamus in the slow processes of law in order to be safe from the veto of a department. In this case our committee, the conference committee, the Congress, the Interior Department, all understood the intent and I can not believe there can be any serious question as to what the Interior Department will do.

This is especially true in case of the Baker project. Congress has repeatedly approved that project and ordered its construction many times. It has been more thoroughly considered than any other. It has twice been personally examined by our committee. Finally Congress has, in language that is mandatory, that leaves nothing to the discretion of the department, says when certain conditions are complied with it shall be built.

Failure of the Secretary to proceed in good faith to carry out the expressed will of Congress, as approved by the President, would involve a contempt toward our Committee on Appropriations and toward Congress, which I am sure the Secretary does not feel and would place the department in an attitude before Congress that would be sure to excite a very lively controversy. If the 1923 Interior bill should carry a provision that none of its money should be available until a contract had been entered into by the Secretary for building the Baker project, that would certainly be in every sense mandatory, but it would be embarrassing to in such language mark divergence of opinion with an executive department with which our subcommittee has so diligently sought to cooperate and with which our relations personally and officially have been so delightful. It would also, however, be embarrassing to learn that only by writ of mandamus can the will of Congress be made effective when counter to the departmental will.

I feel sure that before this reaches you the misunderstanding under which it seems to me you must be laboring will be cleared away.

With best wishes, I remain,

Yours sincerely,

LOUIS C. CRAMTON.

DIRECT APPROPRIATIONS WITHOUT CONDITIONS

The Attorney General has rendered a couple of opinions, and the final one bases the decision largely upon this condition precedent as to the making of such a contract with such a district. These opinions are clearly based upon insufficient consideration of the reclamation laws, and I shall probably at a

later occasion insert those opinions and discuss them. Inasmuch as the item before us does not carry any such condition precedent, the holdings are not material here.

There was also in the current year, in connection with the appropriation, language concerning continued investigations, which has been taken to be an excuse for deferring construction of the project. This language also is omitted in the item before you. The committee had before it the statement of the Secretary of the Interior, and again the committee, after giving careful consideration to all available information, have recommended an appropriation for construction of the Baker project. In our report upon the pending bill we say as to this item:

The appropriation of \$450,000 recommended for construction of the Baker project is in effect a reappropriation, an unexpended balance of more than that amount now being available. This project, several times recommended for construction by the Department of the Interior and five times approved by Congress through appropriations, is not held feasible by the present Secretary of the Interior, who declines to proceed with its construction except under an appropriation in form relieving him from the necessity of finding the project feasible. In the belief of the committee such language was used in the 1927 act, but the question having arisen as to the effect of certain conditions therein, the committee recommends a new appropriation stripped of all conditions and under which Congress assumes responsibility for feasibility of construction of the project and the only responsibility of the Secretary of the Interior will be efficient performance of the administrative duty of construction. The committee makes this recommendation after the most careful consideration of the project and in the belief that the Baker project offers a safer and more desirable use of money from the reclamation fund than some projects approved by the present Secretary of the Interior.

The appropriation as it stands has no conditions attached to it, nothing about investigation, no conditions precedent, but simply—

Baker project, Oregon: For commencement of construction, \$450,000.

Our purpose in making a new appropriation instead of a reappropriation when there is an unexpended balance of \$483,000 is to avoid any question arising as to the conditions of last year that attached to the old appropriation continuing here as might be the case if we reappropriated. By making a new appropriation the old conditions are entirely abandoned.

It may be well to say in this connection that since the committee acted a year ago there has been general law passed so that if this project is built, before any water is used there must be a contract with an irrigation district. That general law, section 46 of the Smith Act, embodied in permanent general law the conditions that were agreed upon in the last Interior Department bill, and having been carried into general permanent law there is no occasion for anything further in the Interior bill.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. CRAMTON. Mr. Chairman, I am compelled to take five minutes more.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

THE WILL OF CONGRESS SUPREME

Mr. CRAMTON. So the appropriation is here without any conditions whatever. Under the reclamation law there is a provision that before the Secretary of the Interior shall approve a project or shall submit estimates he shall find it feasible. That governs his action, but there is no requirement of law that he must proceed to find a project feasible that Congress has appropriated for and told him to go ahead. So the bill, as it stands, does not make the amendment the gentleman has offered necessary. I do not object to the amendment but do not think it necessary.

I believe that Congress is greater than the Secretary of the Interior. [Applause.] I believe that this House, when the facts are before it, should act with a view to such facts and not be bound solely by a refusal of a head of a bureau overruling his predecessor and overruling himself as to the feasibility of a project.

LOCAL COOPERATION ASSURED

I am not going to take the time to discuss its feasibility. I will say there is a better prospect of a return to the Treasury of the money involved in this project than of several others that are meeting with the approval of the department. Furthermore, please note above the declaration of the Secretary that none of these projects were feasible without provision for financial aid to settlers. And then note that the town of Baker,

about 10,000 in population and a thriving center, offered such aid. Here is a letter written me after the appropriation was made last year and when they supposed it was going to be built. They wrote assuring the fullest cooperation in financing the settlers through loans of money from a corporation organized for that purpose, taking a more advanced stand than is to be found in connection with most of the projects. This is one of the strong things about the project. It is adjacent to a thriving, well-developed community:

BAKER, OREG., May 17, 1926.

Hon. LOUIS C. CRAMTON,

Chairman Subcommittee of Appropriations, Washington, D. C.

MY DEAR MR. CRAMTON: Since receiving the information regarding the appropriation for the Baker project, I have talked with our bankers in Baker, also most of the leading business men in our town and community.

We expect to organize a corporation of some kind to assist in settling the Baker project. We had several meetings at different times while appropriation was pending, and it was the belief of our people here that Federal or State aid, such as was being talked of in Congress, would be detrimental, as we felt it would invite a class of settlers who would feel that they were going to be taken care of for a period of two or three years regardless of what their personal efforts were. Our bankers and business men have great faith in our project; and, it being a small one, most of the worthy settlers such as we expect to get will be financed by our local banks and business men; however, we have decided that it will be well to form a corporation in order to take care of emergency cases which might arise.

Thanking you for your assistance in this matter, I am,

Yours truly,

F. A. PHILLIPS.

Suffice it to say that our committee have for six years now each year unanimously approved of this project. Some of us have been twice on the project. We are not influenced by any selfish motives. It does not lie in the State of any man who is a member of the Committee on Appropriations, to say nothing of our subcommittee. It lies in the district of the gentleman from Oregon [Mr. SINNOTT], not a member of our committee, but a man in whom I have great confidence as have other Members of the House.

SHOULD KEEP FAITH WITH THE PROJECT

I hope the House will sustain this committee now in this project that we believe to be feasible as it has been four times by the department recommended to us as feasible; and for those people out there who for six years have been waiting for the Interior Department to keep the faith that Congress has extended and who in that faith have spent their money, I think the time ought to come next year when actually the work would begin.

I hope, therefore, that whatever the fate of this amendment, the item may meet with the favorable consideration of the House. As reported by the committee, it makes clear the purpose of Congress and should be sufficient to secure the result Congress desires. That language, joined with the language of the report, relieves the Secretary of responsibility on the question of feasibility.

Mr. HILL of Maryland. Will the gentleman yield for a question?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HILL of Maryland. Mr. Chairman, I ask unanimous consent that the gentleman may have one minute so that I may ask a question.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. HILL of Maryland. I would like to ask the chairman of the subcommittee how much is the total reclamation fund in the Treasury?

Mr. CRAMTON. They expect to have a little more than \$16,000,000 available for use in the next fiscal year, and this bill provides a total of something over \$14,000,000.

Mr. HILL of Maryland. And this \$450,000 comes out of the fund which has been set aside for this purpose?

Mr. CRAMTON. Yes; the total amount estimated is over \$16,000,000, and the bill is a little over \$14,000,000, all coming from the reclamation fund.

Mr. TAYLOR of Colorado. Mr. Chairman and gentlemen of the House, I feel that we ought to stop a moment and think before we establish a precedent like the proposed amendment might commit the House to. I can not resist believing that the chairman of my committee has not had time to carefully consider this amendment, and I believe on reflection he will not approve of it. Let us consider the situation a little, leaving out the personal equation entirely. There are a thousand or more

appropriations in this bill. The language used in this item is the same form the House has followed for over a hundred years. When Congress makes an appropriation the language used is that so much money is appropriated for a certain specified purpose. Now, the language of this item is in the ordinary form. A definite authority and direction by Congress to the Interior Department to expend a definite amount of money in a definite manner and for a definite purpose. Congress is clearly and plainly exercising a power and authority that is clearly and solely within its exclusive authority and jurisdiction. Now, this amendment proposes to add to that plain provision a proviso that this item need not meet with the approval of the Secretary of the Interior, thereby creating the inference that if any or all the other items in the bill do not meet with his individual approval, he need not carry them out. In other words, it would be a surrender of our absolute and exclusive authority to appropriate the money of the Government and direct how and for what purpose it shall be expended, and an attempted waiver of our constitutional right and power and duty, and an ignominious acknowledgment that the will and judgment of Congress in making appropriations is upon conditions that they meet with the approval of one man; that he is clothed with a discretionary authority to disregard the mandate of Congress. I deny that any one man has any constitutional or legal authority to defy the will of Congress when it is acting clearly within its exclusive authority in the appropriation of money.

I am not willing to make any such acknowledgment. This proposed amendment would be a dangerous precedent. We would be embarking on a bad policy. It is not right and the House ought not to approve of it. The amendment was clearly subject to a point of order if anybody had made it in time. It is new legislation, and it seems to me very unwise and bad legislation. I am not at all thinking of any individuals. I am speaking of a matter of principle, of legislative policy, of constitutional rights, of orderly legislative procedure. I think it is absurd for Congress to make a definite appropriation, as I have said, and then add the proposed kind of a clause to it. I think as the Chairman does, that the language of this item is mandatory. I think the Secretary of the Interior is bound by the language in this bill. I do not see how he can refuse to carry out the will of Congress when it unconditionally and unqualifiedly appropriates a specific sum for a specific purpose. Why should we attach any strings to it by saying that if he does not want to approve of it he need not do so. I do not think we should ask the approval of anybody for anything that Congress does. If we are in doubt about it we ought not to do it. There are 435 Members. Thirty-six of us are from the arid West, and we personally know about these appropriations; and there are a great many other Members who know all about the merits of these items. We are spending the money not out of the Federal Treasury but out of the funds derived from those States and for the development of that great country.

I want to repeat the old saying that "Westward the course of Empire takes its way." I prophesy now to you younger men on the floor of this House that if you live your allotted time you will see 25,000,000 intelligent, prosperous, and happy American people residing between the Canadian and the Mexican borders in the States of Washington, Oregon, and California. [Applause.] The human race has been migrating westward for a thousand years, and the Pacific coast of our country is the jumping-off place; they can not go any farther west.

The Baker project is in a potentially very rich section of Oregon. But I am not going into a discussion of the merits of the project. Several of the projects that have appropriations in this bill probably should not have been commenced for several years yet. Be that as it may, they have been authorized and started by Congress, and I am not in favor of making fish of one and fowl of another. I think Congress should assert and maintain its constitutional authority and right to control its appropriations and not ignominiously acknowledge that the Secretary of the Interior can pay any attention or no attention to it as he sees fit. That would be a wrong and dangerous attitude, and regardless of the merits or demerits of this item or of the individuals interested in it I appeal to the House to vote against any recognition of any policy of this kind. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. BANKHEAD].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Salt Lake Basin project, Utah, first division: For continued investigations, construction of Echo Reservoir, and Weber-Provo Canal, the unexpended balance of any appropriation available for these pur-

poses for the fiscal year 1927 shall be available during the fiscal year 1928.

Mr. LEATHERWOOD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 67, line 16, after the word "Utah" strike out the words "first division."

Line 17, after the word "reservoir" insert a comma, and then the words "Utah Lake control."

Mr. LEATHERWOOD. Mr. Chairman, I offer the amendment fully assured that it will be opposed by the subcommittee, but I offer it for two reasons. The first is that I do not think the language conveys the idea that the committee wishes to convey. In the second place I think it logically belongs in the language used in this paragraph and is not prejudicial to any interest involved and would not result in anything except a clear understanding of the purpose of this project.

I want to correct a statement made by the gentleman from Michigan [Mr. CRAMTON], who is in charge of this bill, with reference to the Utah Lake control being a separate project. It is not a separate project. The project referred to is the Salt Lake Basin project. The inaccuracy of the language used by the committee in the bill is as follows:

The project is to be constructed by three steps, or in three divisions. The first step recommended has been the construction of a storage dam at Echo Reservoir. If the committee wants to be accurate they should designate the Weber-Provo Canal as the second division, because it constitutes a distinct unit in the course of construction. It has been maintained in the past that it was unnecessary to put these words in here.

I think it is highly necessary to retain in the bill before the committee language exactly the same as that used in authorizing the construction of the project. It does not in any way require the Bureau of Reclamation to proceed with this construction until they reach it in the ordinary process of the development of the project. Utah Lake control is necessary. There can not be development in the other two divisions or units of this project without Utah Lake control, for the reason that when the water is thrown from one basin into the other through this diversion canal there must, then, of necessity be Utah Lake control. We have stated here, and we state it again, that at the present time work upon this particular part of the project is not mandatory, and it has not reached that stage where it could go forward at this time, but putting the language into the act and retaining the language in the act is important for another reason. Yesterday we heard something about a letter giving the views of the Secretary of the Interior that had been transmitted to the committee. I have diligently searched through the hearings for this letter and have failed to find it. Whether it reflected any information on this question or not I am unable to say, but only to-day the Director of the Bureau of Reclamation informs me that the projects now advanced in the present bill mean an expenditure of \$12,000,000 out of a pretty well depleted reclamation fund, so that I am concerned in retaining this language in the act at the present time, not because of any immediate development or the use of any of this money that is reappropriated for this particular purpose, but if this language is left out, then a little later when we ask to have it put in and have the work go forward as it must go forward, when the other two units are developed, I fear we will be met with the statement that \$12,000,000 worth of work is ahead of us, and that this portion of this project can not be taken care of.

There is nothing here that in any way complicates the situation. I have always been unable to understand, and I am yet unable to understand, why this language should be objected to. There is nothing here that compels a disorderly development of this plan. It is all one unit, to be developed, as I understand it, from the Bureau of Reclamation, by the building of the great storage reservoir and diversion canal and then the control of the waters of Utah Lake. What is the objection to retaining the language? They will not go forward with this work until they reach it in the ordinary development of the project, and if the language is left out of the act, then we will be met next year or the year following with the technical objection that it had been lost in the proceeding, and that there is no provision for it, and that before any money can be appropriated or allocated to it all of this other work must be taken care of, which is now pushed to the front, as the Director of Reclamation says. So, Mr. Chairman, I ask to have the language retained here, not to complicate the situation but simply to keep it orderly, so that in the future when the development is reached there can be no question about it. It is not contrary to the language used by the Bureau of the Budget; it is not contrary to the language used anywhere else with reference

to this project. It is one project, not three—the Salt Lake Basin project to be developed in three orderly steps, first, the construction of a reservoir; second, the diversion canal from one basin into the other; and third, the control of the water of Utah Lake, which must be controlled when the water is thrown from one basin over into the basin draining into Utah Lake.

Mr. CRAMTON. Mr. Chairman, the trouble that we have with most Members is that we do not approve their requests for money when they need it. The gentleman from Utah [Mr. LEATHERWOOD] is asking to have some language put in here about Utah Lake control, not because he is going to need any money for that purpose in the fiscal year 1928, but because sometime in the future they may want that money. A year ago, when this same matter was suggested, my friend said:

I do not anticipate that the necessity to control the lake will arise within the period covered by this appropriation.

Mr. Chairman, my committee has enough to do to study the problems immediately before us. This not being before us, and the occasion not yet having arisen to spend money for that purpose, the committee of course has made no study and has not had any showing concerning it from the bureau. I understand the situation is still the same as it was last year, that they have not really begun work. This is really a reappropriation. I hope the amendment will not prevail.

Mr. LEATHERWOOD. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. LEATHERWOOD. I want to make it very clear to the gentleman that what I said last year is true, but I am trying to anticipate the technical objection which I am confident will be raised when we seek to have this language restored sometime in the future. It does not embarrass the committee and does not embarrass anybody when we refer to the Salt Lake project as the law intended it should be.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah.

The question was taken; and on a division (demanded by Mr. LEATHERWOOD) there were—ayes 6, noes 12.

So the amendment was rejected.

The Clerk read as follows:

Total, from reclamation fund, \$11,568,800.

Mr. CRAMTON. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 70, line 8, strike out the figures "\$11,568,800" and insert in lieu thereof the figures "\$11,643,800."

Mr. CRAMTON. This is simply to correct a total.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read as follows:

For investigations to be made by the Secretary of the Interior through the Bureau of Reclamation to obtain necessary information to determine how arid and semiarid, swamp, and cut-over timberlands in any of the States of the United States may be best developed, as authorized by subsection B, section 4, second deficiency act, fiscal year 1924, approved December 5, 1924 (43 Stats. p. 704), including the general objects of expenditure enumerated and permitted under the second paragraph in this act under the caption "Bureau of Reclamation," and including mileage for motor cycles and automobiles at the rates and under the conditions authorized herein in connection with the reclamation projects, \$15,000.

Mr. SEARS of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 71, line 11, strike out "\$15,000" and insert in lieu thereof "\$50,000."

Mr. CRAMTON. Mr. Chairman, I make a point of order against the amendment. My recollection—if I am wrong the gentleman will correct me, but I think I am not wrong—my recollection is the only law there is authorizing this appropriation at all provides for not over \$15,000 a year.

Mr. SEARS of Florida. I do not think so. The law of 1924, I have before me here, authorizes \$100,000 with an appropriation of \$15,000. There is no stipulation as to any one year. I have the law before me.

Mr. CRAMTON. The limit is \$100,000. I withdraw the point of order.

The CHAIRMAN. The gentleman withdraws the point of order.

Mr. SEARS of Florida. Mr. Chairman, I would like to have the Clerk read the telegram which I send to the Clerk's desk.

The CHAIRMAN. Without objection, the Clerk will read the telegram.

There was no objection.

The Clerk read as follows:

MIAMI, FLA., December 14, 1926.

HON. W. J. SEARS,

House of Representatives:

Letter received. Bill should be amended to include Everglades for \$20,000. Florida already has spent \$15,000,000. War Department requires Lake Okeechobee be kept 15 feet for navigation purposes, lake being so high caused overflow; washed dykes away, killing about 300 people. We want Government engineers to inspect now, study Randolph plan, and report to State legislature in May. They could then complete the work.

J. W. WATSON.

Mr. SEARS of Florida. Mr. Chairman, I have offered this amendment, and I hope the chairman of the subcommittee and my colleagues will see that the amendment is adopted. If I understood the chairman of the subcommittee correctly, he stated that the estimates were well under the estimates of the Director of the Budget, and therefore these other appropriations which had not been specifically recommended by the director were placed in the bill. The chairman also very aptly stated that—

we were not rubber stamps, and the representatives of the people should come before them and present their case.

I have before me the very brief hearing on this subject, and I find the Bureau of Reclamation is in full sympathy with this situation. It does not in any way bind the United States to future appropriations but simply provides for a thorough and complete investigation and report.

There are seven Southern States, according to the statement of Doctor Mead, where investigations must be made. Now, you and I know with \$15,000 practically no investigation can be made even in one State. I have before me the able speech of my good friend from Mississippi [Mr. BUSBY], made on June 28, 1926, in which he thoroughly went into this matter, and my good friend the majority leader [Mr. TILSON], of Connecticut, at that time stated that he was in full sympathy and accord with this proposition. I am not opposed to reclamation projects. I have supported these projects. As stated by my colleague from Montana [Mr. LEAVITT], I look upon this question in a national way and not in a local way. Therefore I have not included in my amendment the Everglades. I leave the investigations to be made with the Department of the Interior, for I know they will not confine it to any one project or State. Getting down to the local proposition, but just before that I want to indorse what my colleague [Mr. CRAMTON] said, to wit, Congress was greater than any department and therefore we should speak. That was the chairman of the subcommittee speaking. I indorse what he said, and I hope and expect his vote for my amendment, because it is not in conflict with any financial policy we may have in view. There is only a difference of \$35,000, and it does give an assurance of work.

What are the facts? The War Department compels the State of Florida to keep Lake Okeechobee to a depth of 15 feet. My good friend from Washington [Mr. SUMMERS] knows that the deepest channel is the St. Lucie Canal, which has a depth of 12 feet and is 200 feet wide. Therefore we have to keep Lake Okeechobee, under the rules and regulations and requirements of the War Department, 3 feet at least deeper than the deepest channel running into the lake. Take West Palm Beach Canal. No boat can go in there drawing over 3 or 4 feet of water, and therefore Lake Okeechobee is from 10 to 12 feet deeper than that canal. In 1924 Congress passed an act specifically authorizing the expenditure of \$100,000 for the purpose of making a thorough and complete survey of swamp and overflowed lands, and so forth. This authorization having been made by Congress, it is now simply a question whether a further appropriation of \$15,000, with which practically nothing can be accomplished, or whether you will make the appropriation sufficient to accomplish some good results. In view of that act, it certainly seems to me the Committee of the Whole should adopt the amendment I have offered.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. SEARS of Florida. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SEARS of Florida. The State of Florida has spent between \$8,000,000 and \$10,000,000 of her money in reclaiming,

or trying to reclaim, the Everglades. We have done this in the last 15 or 20 years without asking Congress for one single penny. Hundreds of thousands of dollars have been spent in the counties of Okeechobee, Indian River, Dade, Palm Beach, De Soto, and other counties, and in the several drainage districts in further aiding in the drainage of the Everglades. We now find ourselves up against this proposition: There is about 4,000,000 acres of land, the soil of which is as rich as any in this country, needing drainage; but we are not able to further proceed with that drainage. We have constructed the South New River Canal, the North New River Canal, the Hillsboro Canal, and the West Palm Beach Canal, and we are now completing the St. Lucie Canal to a depth of 12 feet. We are simply asking you now to appropriate enough money to let the Department of the Interior go in there and make a thorough and complete investigation and report as to the best plans and also feasibility of drainage.

Mr. Chairman, while I was at home last fall, when the hurricane struck Florida, we were shocked and surprised, for as I recall, and as the early settlers recall, there had been no such storm in the history of that great State. Hundreds of lives of citizens in the first district, and they were formerly citizens of your district, were wiped out when the waters overflowed the banks of Lake Okeechobee. Such a calamity can be avoided in the future if you will give us your aid and cooperation.

For the dead there is no appeal, but for the living, formerly from your districts, who are still down there, I ask you not to quibble over this small increase which is necessary to make the investigation. If those lands are properly drained those people will continue to work those soils and raise winter vegetables.

A peculiar thing about Florida is that we do not come in competition with any other State.

We raise early potatoes, peas, eggplant, and nearly every other vegetable, and it is for the purpose of raising these vegetables that we want this land drained. These vegetables do not come into competition with the vegetation of any other State and are the vegetables you eat in large quantities during the winter months. I hope the committee will appropriate what the Bureau of Reclamation states is a part of the sum necessary, and which must be appropriated if we want to proceed with that work. We want this survey made so we can continue drainage work and because at the next session of the Legislature of Florida we want to have the benefit of same and to try to work out a scheme whereby we can continue this wonderful work we are engaged on. Unless this is completed before the next session of the legislature I do not know what the State of Florida will do toward carrying out her drainage plans. The gentleman from Washington [Mr. SUMMERS] is thoroughly familiar with the situation down there, and knows about the \$15,000,000 or \$18,000,000 that we have spent in Florida and same without asking for one cent from the Federal Government.

Mr. HARE. Mr. Chairman, will the gentleman yield there for a question?

Mr. SEARS of Florida. Yes.

Mr. HARE. This increase that is asked for is to be spread over the State of Florida, is it?

Mr. SEARS of Florida. No. Fifteen thousand dollars, distributed over seven Southern States, and that practically means there will be no complete surveys in any one State, so my purpose is to make it \$50,000 for the States referred to by Doctor Mead, in order that a complete and thorough investigation can be made. If Florida should not be a participant I shall not complain, although no other State has done as much as Florida. I am willing to leave that with the Department of the Interior. I believe my western friends will join me in this appeal.

A good deal has been said about the political phase of this question, and—

The CHAIRMAN. The time of the gentleman from Florida has again expired.

Mr. SEARS of Florida. Mr. Chairman, may I have two minutes more?

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in seven minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the debate on this paragraph and all amendments thereto close in seven minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Florida is recognized for two minutes more.

Mr. SEARS of Florida. I attended the waterways convention last July, just prior to this storm. I met there one of

the Republican candidates for the United States Congress. He made the statement that \$150,000,000 had been appropriated by Congress for irrigation purposes out West, purely for political effect, and he said that if Florida wanted to get anything her people should elect a Republican.

There was a Republican sitting on the right of me and one on the left of me, and I had to confess that I had voted for those projects.

Mr. SUMMERS of Washington. What was it that the gentleman said about the \$150,000,000?

Mr. SEARS of Florida. I did not say anything. I am repeating what the Republican candidate said—that it was spent chiefly for political effect. I denied it. I said, then, I did not believe my colleagues in Congress, either on the Republican side or on the Democratic side, would vote \$150,000,000 or \$1,000,000 or \$15,000 for political effect. I said that if a man in Congress could justify an appropriation he could get it, whether he was on the Democratic side or the Republican side. I might have been mistaken, because when a Democrat undertakes to defend a Republican he sometimes may commit an error. But I trust I was not mistaken in the statement I made, that these appropriations are not a political question. If this amendment is not adopted, I sincerely trust, hope, and believe the Senate will increase the appropriation at least to \$50,000, if not more. [Applause.]

Mr. CRAMTON. Mr. Chairman, this is not a political question before the committee, because so far as I know the amendments which the committee has so far accepted have all come from the Democratic side. There is no partisanship in any of these matters.

The gentleman from Florida [Mr. SEARS] was not sure that this would be devoted to Florida or not. But the last reclamation act appropriated \$15,000 for an investigation to be made by the Bureau of Reclamation to obtain information necessary to determine how semiarid and cut-over lands and swamp lands could be best developed. Doctor Mead reports that seven of the Southern States had shown great interest in this matter and will probably designate a tract for examination as a typical illustration of the opportunities and needs in reclamation of that section of the country. It is then intended to have these selected tracts studied by a commission of three, to be appointed by the Secretary, who will submit to the Secretary a report to Congress which will, it is believed, have such information as will enable Congress to determine the lines which further investigation should follow. Doctor Mead adds:

All we have done is to ask for the States to furnish us with information regarding the reclamation opportunities. We are going to send a committee down there to look over some typical cases, and then there will be a report come to Congress, and Congress can then determine what it is to do.

The gentleman from Florida does not seem to have in mind just the purpose of this fund. He seems to think Congress has already entered upon the policy of going into the Everglades of Florida and draining them and making it possible to grow something in Florida. As a matter of fact, the policy is not one where Congress is committed to the taking of money out of the Federal Treasury for development in Florida or any other State. It is simply to investigate, in cooperation with the States, and see what kind of a program may be submitted to Congress and which will meet with the approval of Congress.

This \$15,000 comes out of the Treasury of the United States and not out of any special fund. I submit it is desirable to leave it to the Secretary, who has the negotiations under way with the several States. I believe that \$15,000 is enough for the negotiations and the preliminary investigations.

As to the additional \$35,000 suggested by the gentleman from Florida, if all he wants it used for were written into the amendment, it would probably be subject to a point of order. It is not the purpose of this fund to seek to improve navigation, to reduce lake levels, or guard against hurricanes. The only purpose of the amendment is in cooperation with the several States to seek to get some program which might appeal to Congress.

Mr. SEARS of Florida. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. SEARS of Florida. I stated emphatically that this would not bind Congress, and I stated it was for reclamation and drainage.

Mr. CRAMTON. I submit to the gentleman that it is not for reclamation and drainage. It is for an investigation, which will lead to the development of a program which might consider reclamation and drainage as well as settlement. As a matter of fact, the act is broad enough to include the cut-over lands of Michigan, but we are not asking Federal appropriations for that. I want to warn the House right now that the

idea carried in this act may lead Congress to a proposition which will cost the Treasury of the United States millions and millions of dollars. When it comes to the development of the cut-over lands of the State of Michigan the State of Michigan should take the money out of its treasury for that development. [Applause.] We do not expect to take money out of the Treasury of the United States in order to handle our land-settlement problems. They are different from the land-settlement problems of the West, where there were tens of thousands of acres of barren land and nobody to lead in the work of development, but in the South and in the North settlements have already been developed, cities have been established, counties have been established, and there are resources available to carry on the work. Personally I say that Congress ought to watch this thing with some care before it is committed to a program which may cost many hundreds of millions of dollars. I hope the amendment will not be adopted.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Florida.

The question was taken; and on a division (demanded by Mr. SEARS of Florida) there were—ayes 20, noes 34.

So the amendment was rejected.

The Clerk read as follows:

For topographic surveys in various portions of the United States, including lands in national forests, \$510,200, of which amount not to exceed \$267,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of standard topographic surveys, such share of the Geological Survey in no case exceeding 50 per cent: *Provided further*, That \$390,000 of this amount shall be available only for such cooperation with States or municipalities.

Mr. HILL of Maryland. Mr. Chairman, I move to strike out the last word, and do so for the purpose of asking the chairman of this subcommittee for information in reference to this pending item. I want to ask the chairman of the subcommittee for information in reference to this particular paragraph and about a similar relation between appropriations in three succeeding paragraphs. On page 72 the appropriation for topographic surveys in various portions of the United States, including lands in national forests, is \$510,200, of which amount not to exceed \$267,000 may be expended for personal services in the District of Columbia. On page 73 the appropriation for geologic surveys in various portions of the United States and chemical and physical researches relative thereto is \$328,200, of which not to exceed \$263,000 may be expended for personal service in the District of Columbia. At the bottom of page 73 the appropriation for gauging streams and determining the water supply of the United States, and so forth, is \$147,000, of which \$73,000 may be expended for personal services in the District of Columbia. On page 74 the appropriation for the examination and classification of lands requisite to the determination of their suitability for enlarged homesteads, stock-raising homesteads, public watering places, and stock driveways is \$200,000, of which amount not to exceed \$130,000 may be expended for personal services in the District of Columbia. In these several items there are large amounts expended for surveys in various parts of the United States and in every one of these items the amounts authorized to be expended in the District of Columbia are more than half of the amounts for the field work.

I have gone carefully over the estimates contained in the Budget on page 624, and various other pages, and I want to ask the chairman of the subcommittee if he will explain why it is that for such field surveys in national forests, and so forth, and in these other types of items, the work to be done in the District of Columbia is apparently so much greater than the work actually to be done in the field? I ask that question in the interest of departmental economy.

Mr. CRAMTON. That question has been asked before in other years, and having it in mind I brought that query to the attention of the Director of the Geological Survey this year, and in the hearings, at page 809, there appears this statement:

In preparing the estimates it has been customary to show the personnel details under the two headings—departmental service and field service—and since language involving a limitation on the amount to be spent for personal services in the District of Columbia has been included in the appropriation act there has been a misunderstanding of "departmental" personnel, it apparently having been assumed that the employees so shown were employed exclusively in the District of Columbia.

Departmental employees are those with headquarters in the District of Columbia. Field employees are those with headquarters elsewhere

than the District of Columbia. In an organization such as the Geological Survey, which is essentially a field organization, about half of the departmental employees spend varying amounts of time in the field. The limitation for personal services in the District of Columbia covers the time of the employees continuously here, that part of the time of those departmental employees who are in the field three to seven months or even more, and the time of field employees who come to Washington for short periods from time to time. Personnel shown under the heading "Departmental service" under the appropriations topographic surveys, geologic surveys, Alaskan resources, gauging streams, classification of lands, and mineral leasing are employed in the field for varying periods.

So, while it appears the service is rendered in the District of Columbia, it is simply the pay roll of those officials who spend perhaps a very small portion of their time here; but if they spend any portion of their time in the District of Columbia, then they come under this item.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. HILL of Maryland. Mr. Chairman, I ask for one minute more.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. HILL of Maryland. I think the explanation of the chairman of the subcommittee makes very clear a criticism which has frequently been made in reference to these appropriations. There is a general public feeling which ought to be corrected, and which the chairman has taken pains to correct, that an enormous amount of this service is not actually rendered in the field but is rendered here in Washington. I am very glad to hear that this matter has been taken up in this way and that all these considerations apply to these various items.

I withdraw the pro forma amendment.

Mr. COLTON. Mr. Chairman, I move to strike out the last two words for the purpose of asking a question. I would like to ask the chairman of the subcommittee how the amount appropriated for this purpose agrees with the Budget estimate?

Mr. CRAMTON. Topographic surveys?

Mr. COLTON. Yes.

Mr. CRAMTON. Within \$4,000 or \$5,000, is my recollection.

Mr. COLTON. I will say to the chairman, if I may, this is of very great importance to the Western States and there is a large demand in various sections of my State, I know, for topographic surveys, and the answer usually made to inquiries or requests for these surveys is that the fund is limited and they can not be made.

Mr. CRAMTON. The only change between the bill and the Budget is a matter of \$4,800, which comes by reason of the action of the Secretary of the Interior in disapproving certain proposed salary increases. Apart from that, you may say we have accepted the Budget figure, and the Budget figure does this. The greater part of this topographic survey work is done by matching of State and Federal funds.

Mr. COLTON. Yes; I know.

Mr. CRAMTON. And we have done this year as we did last year. They give us the best estimate that the survey can make as to the amount of State funds that will be offered. As I recall, \$390,000 is their estimate of the amount that will be offered in 1928, and the bill carries \$390,000, sufficient to meet what the survey anticipates will be the amount offered. As a matter of fact, for the current-year the appropriation made a year ago is proving sufficient within \$200 or \$300 to meet all the State money offered.

The item also carries some work that is purely Federal with no State contribution, and the item before us, I think, is \$50,000 or \$75,000 greater than for the current year for that purely Federal work in national forests, and so forth.

Mr. COLTON. I simply wanted the information. I understand, then, that the amount appropriated is sufficient to meet the estimates of the various States regarding this work?

Mr. CRAMTON. It is sufficient to meet all contributions anticipated from the States.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Platt National Park, Okla.: For administration, protection, maintenance, and improvement, \$13,050.

Mr. SWANK. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SWANK: On page 79, line 22, strike out the figures "\$13,050," and insert in lieu thereof "\$25,000."

Mr. SWANK. Mr. Chairman and gentlemen of the committee, I believe that a Member of Congress should do everything possible for his constituents and for the country at large. Nothing worth while is achieved without great labor. This great Government of ours should adequately provide for all its institutions and especially those that render valuable service to our people. I am a firm believer in our great national-park system, developed to its present admirable position by our able director, Hon. Stephen T. Mather.

I am speaking in particular of Platt National Park at Sulphur, Okla. Among my many other duties as a Member of Congress, I have persistently and consistently pressed the claims of this park for larger appropriations. I have presented these claims to the subcommittee on appropriations for the Interior Department, the National Park Service, the Budget committee, and the Members of the House. I have continued to do everything that it was possible to do to convince those who have such matters in charge of our need for a larger appropriation. There is no park in the United States to-day that is doing so much good with so small an amount of money. I am appearing again before the Membership of this House urging you to give me a larger appropriation than that recommended by the subcommittee. I shall continue my efforts the best I can before you until an adequate amount is provided and at least in proportion to the amount received by our other national parks. The amount I ask for the next fiscal year is reasonable, indeed, and in proof of that assertion I ask you to look over the figures for the last several years and then compare the amount received by other parks, where the number of visitors is much smaller, and the amount received by this park.

When the people sent me to Congress this park was receiving an annual appropriation of \$7,500 for all purposes. For the fiscal year 1924 this was increased to \$10,000 by the subcommittee. For 1925, \$11,920 was recommended by the committee, and this amount was increased by \$6,000 by my amendment, bringing the total amount to \$17,920. An additional appropriation of \$42,000 was made for road work in the park and this amount has been expended on the roads. The total appropriation for 1925 was \$59,920, including the amount for road work. I am pleased, of course, to receive this increase over previous years, but it is not sufficient with the rapid growth of the park. I wish that the entire Membership of this House could visit this park and the city of Sulphur, where it is located, and see the wondrous works wrought. If you could only see the needed improvements to put the park on the plane to which it is entitled and know the indescribable effects of the water, the wonderful bathing pools, and enjoy the hospitality of the people, you would not hesitate to vote for larger appropriations.

The amendment that I am offering at this time should be larger, but this amount will be of great assistance for further improvements and the upbuilding of this great health resort. This amendment asks for an increase over the amount carried in the bill of \$11,050, which would make the total appropriation \$25,000, and even then the amount would not be nearly so large as that of other parks which do not render such public service. The visitors at this place are increasing each year, as will be seen from a table following. The report of the park superintendent in 1924 states that the people of Sulphur, by reason of the great need for additional improvements for the comfort of the visitors, spent some \$17,000 in the park for community buildings, comfort stations, and extension of the sewer and water lines. The people of this city and county are alert and active for the good of the park, as is shown by this large contribution. The local people where a national park is located should not be required to contribute money for its improvement and upkeep, and I believe there is no other park where the same is done. This park is the property of the Federal Government, and Congress should make appropriations sufficient for its proper maintenance, as it does for other parks and Federal institutions, for they are not the property of any local community but of all our people.

The guide in making appropriations for our national parks should be the service they render to the people of the country. This is determined largely by the number of visitors. Platt National Park contains 848.31 acres and was established by acts of Congress July 1, 1902, and April 21, 1904. It is situated adjacent to the city of Sulphur, in Murray County, Okla. This community is known for its progressive, lawabiding, and Christian citizenship famed for hospitality and helpfulness. Visitors at this park always find a cordial, homelike welcome. This feeling pervades the atmosphere. There are excellent hotel accommodations, first-class restaurants, and rooming houses at moderate cost. Elegant and convenient camping grounds are reserved for campers, for which service no charge is made.

On page 78 of the report of the National Park Service for 1923 is this statement:

During the year the city of Sulphur, which adjoins Platt National Park, continued its cooperation in every way possible in helping the park serve the thousands of visitors. Records show that 470,841 people entered the park gates, but as many of them undoubtedly repeated their visits from day to day, 117,710 individuals is considered a fair estimate of the travel. The park is a focal point for motor travel from all the Southern States west of the Mississippi, and its popularity as a health and pleasure resort is increasing yearly. Little in the way of extensive improvements has been made, and to properly care for the increasing patronage there is needed larger annual appropriations for the extension of camp grounds, sewer, water, and light systems, and for general sanitation. The park roads were not constructed for automobile traffic; they are narrow and need to be widened and resurfaced.

The report of the Director of the National Park Service for 1926 shows that the number of visitors to our national parks and monuments has increased from 1,670,908 in 1924 to 2,314,905 in 1926. This large increase in visitors to these parks shows a greater interest by our people in these institutions. In addition to the natural scenery, the visitors may enjoy that rest and comfort they are searching for and be greatly refreshed in health. These parks are maintained by our people and should be improved in every reasonable way for their enjoyment. The natural scenery is preserved and wild life protected. In this report the director says:

Without exception the various national parks reported the wild animals in good condition. The preservation of the natural features of the park, while at the same time developing these areas so that visitors may have the necessary accommodations and facilities to see and enjoy them, is one of the big problems with which this service has to cope. The most extensive work of this nature was in connection with the road construction being carried on in cooperation with the Bureau of Public Roads under the road budget.

The report of the director further shows that the number of visitors increased from 488,268 in 1917 to 2,314,905 in 1926, and the appropriations have increased from \$537,366.67 in 1917 to \$3,243,409 for the fiscal year 1927. The amount recommended in the bill by the committee for the next fiscal year is \$3,238,452.05. In addition to this, the Interior Department appropriation act of March 3, 1925, made \$1,500,000 more available for construction of roads in the parks.

Mr. Chairman, I present these facts to the House to show the increasing importance of our national parks to the public. While the local communities are benefited by these parks where they are located, the visitors are also greatly benefited, and especially is this the case where the parks have inexhaustible supplies of mineral and medicinal waters for free use to the public as we have in Platt National Park.

The report of the director for 1926 and the hearings on the bill before us gives the number of visitors, appropriations, and private automobiles entering the parks. Below is a table showing these figures in some of our leading parks:

Visitors, 1920 to 1925

Name of park	1920	1921	1922	1923	1924	1925	1926
Platt.....	38,000	60,000	70,000	117,710	134,874	143,380	124,284
Yellowstone.....	79,777	81,651	98,223	138,352	144,158	154,282	187,807
Yosemite.....	66,906	91,513	100,506	130,046	105,894	209,166	274,209
Mount Rainier.....	56,491	55,771	70,371	123,708	161,473	173,004	161,796
Rocky Mountain.....	240,966	273,737	219,164	218,000	224,211	233,912	225,027
Grand Canyon.....	67,315	67,485	84,700	102,166	108,256	134,053	140,252
Lafayette.....	60,500	69,836	73,779	64,200	71,758	73,673	101,256

Appropriations, 1921 to 1926

Name of park	1921	1922	1923	1924	1925	1926	1927
Platt.....	\$9,000	\$7,500	\$7,500	\$10,000	\$10,000	\$17,920	\$12,400
Yellowstone.....	286,000	350,000	361,000	368,000	372,800	396,000	398,000
Yosemite.....	303,000	300,000	280,000	295,000	300,000	252,714	256,640
Mount Rainier.....	40,000	150,000	106,800	133,000	100,000	106,500	111,000
Rocky Mountain.....	40,000	65,000	73,900	74,280	93,000	84,690	87,000
Grand Canyon.....	60,000	100,000	75,000	125,400	216,000	192,360	132,000
Lafayette.....	20,000	25,000	25,000	30,000	34,700	34,190	34,000

Private automobiles entering the parks

Name of park	1922	1923	1924	1925	1926
Platt.....	30,000	50,000	57,400	60,000	45,796
Yellowstone.....	18,253	27,359	30,089	33,068	33,194
Yosemite.....	19,583	27,233	32,814	49,299	74,885
Mount Rainier.....	17,149	27,655	38,351	39,860	38,626
Rocky Mountain.....	52,112	51,800	53,696	58,057	50,407
Grand Canyon.....	7,890	11,731	13,052	19,910	22,849
Lafayette.....	8,650	8,600	12,561	9,381	15,361

Visitors in other parks

Name of park	1920	1921	1922	1923	1924	1925	1926
Sequoia.....	31,508	28,263	27,514	30,158	34,468	46,677	80,404
Crater Lake.....	20,135	28,617	33,016	52,017	64,312	65,018	86,019
Mesa Verde.....	2,890	3,003	4,251	5,236	7,109	9,043	11,356
Glacier.....	22,449	19,736	23,935	33,988	33,382	40,063	37,325
General Grant.....	19,661	30,312	50,456	46,230	35,020	40,517	50,597
Zion.....	3,692	2,937	4,109	6,408	8,400	16,817	21,964

Appropriations for other parks

Name of park	1921	1922	1923	1924	1925	1926	1927
Sequoia.....	\$36,000	\$86,000	\$78,000	\$120,000	\$136,000	\$71,710	\$73,750
Crater Lake.....	25,300	25,300	32,000	35,000	30,700	35,980	37,160
Mesa Verde.....	14,000	16,400	43,000	35,000	42,500	42,835	32,300
Glacier.....	107,864	195,000	178,700	225,000	281,000	184,960	167,745
General Grant.....	5,300	6,000	6,500	50,000	14,175	12,180	12,300
Zion.....	8,885	10,600	10,000	13,750	15,190	20,000	22,000

In determining the value and importance to our people of a national park we must consider the number of visitors as well as the natural scenery and other service rendered to the public. Some years the number of visitors will be less than other years for various reasons. The report of the superintendent of Platt National Park gives the following number of visitors:

Visitors for the past eight years:

1919.....	107,918
1920.....	173,310
1921.....	216,022
1922.....	246,998
1923.....	470,841
1924.....	539,495
1925.....	573,522
1926.....	248,569

This report shows that the visitors have increased from 107,918 in 1919 to 573,522 in 1925. The number of visitors has been reduced to 248,569 in 1926, which the superintendent says—may be due partly to late abundant crops in Texas and Oklahoma, to unusually cool weather, and to great rainfall during the months of July and August.

This decrease was also due to the condition of the roads from the different sections of the country to the park caused by the heavy rains and to the depressed condition of agriculture generally. The report of the director shows that in 1921 21,848 private automobiles entered the park, and that this number was increased to 57,400 in 1924 and 60,000 in 1925. This number was decreased to 45,796 in 1926, which is not a large decrease when the above facts are considered. The National Park Service estimates the number of visitors for 1924 at 134,874, for 1925 at 143,380, and for 1926 at 124,284. Even at this reduction the number has increased from 25,000 in 1919, which I believe is a greater increase than has been made by any other national park. It has been the practice of the National Park Service to divide the number of visitors reported by the superintendent by four, because some were counted more than once at Bromide Springs, where visitors are registered. Upon recommendation of the superintendent, the number reported for 1926 is divided by two.

Visitors are sometimes counted more than one time at the park gates, and on the other hand thousands of visitors to the park are never counted at all, for the reason that they drink the sulphur water instead of the bromide, bathe at other springs and in the swimming pools, and therefore are not checked. If those who are not checked at Bromide Springs were counted, the reports would show thousands more visitors each year. After this reduction by the director there were but five other national parks that had more visitors than Platt in 1925, and but six more in 1926. The need for greater appropriations can be seen from these figures for proper development work in the park in order to care for the increased number of visitors.

The report of the director for 1923 says:

To properly care for the increased patronage there is needed larger annual appropriations for the extension of camp grounds, sewer, water, and light systems, and for general sanitation.

Concerning the decrease in the number of visitors, let me call your attention to the fact that this is not the only national park where the number decreased this year, but this was also true in several of our leading parks.

There was a decrease also in the number of private automobiles entering our parks. In 1926 the reports show that there were but two parks that had a greater number of automobiles than Platt. This decrease in any of the parks is no argument against a proper and adequate appropriation to care for the visitors in a proper manner and to conserve the parks.

The report of the Secretary of the Interior for 1924 states:

Platt Park, which is open all year, was visited by 134,874 visitors last year, compared with 117,710 in 1923. On July 4 alone over 20,000 people visited the Bromide Springs and drank of the medicinal waters. The park is gaining in favor as a health and pleasure resort.

Mr. Chairman and gentlemen of the House, Platt National Park, like our other parks, is the property of the National Government and should be properly cared for with adequate appropriations. It is not so large as some of the other parks, but I believe it renders more real service to a greater number of people than any other park.

The Legislature of Oklahoma has appropriated more than \$270,000 for the erection of an elegant, well-equipped sanitarium and hospital for the care of our soldiers of the World War. This site was selected after a careful survey and examination by a committee of competent physicians, and was located at Sulphur, near this park. The hospital is in competent hands, assisted by able physicians, surgeons, and nurses, who care for these boys in the right way. Every summer I visit this hospital and it is always well cared for, clean, and sanitary. Everything possible is done for the patients. The superintendent of the hospital says that the value of this property, buildings, improvements, and equipment is \$400,000. For last fiscal year the legislature appropriated \$120,000 for its maintenance. The people of Oklahoma are always alert for the proper care and attention of our soldiers, and this hospital was located in the most healthful place that could be found, amid beautiful scenery, surrounded by honest, Christian influences. The State School for the Deaf, with elegant buildings and a large enrollment, is located here also.

Mr. Chairman, Platt National Park is one of the greatest and most noted health resorts in the country. It has more than 30 mineral springs which furnish an abundant supply of water of health-giving properties. Many springs of pure water, bromide, sulphur, and medicine water are near each other. Any kind of water is found there that is beneficial to mankind and that will promote his health and happiness. For people who want a good outing, enjoy the miraculous wonders wrought by this water, and have a good time at small and reasonable expense, can find no better place than in this park. Its attractiveness and the curative effects of the water can not be exaggerated, and I wish every Member of this House would visit there, and you would agree with me in these statements. I have been there many times and began my trips there many years ago—long before Oklahoma was a State, and even before Oklahoma Territory was opened to settlement.

The Indians knew the value of this water and went there for rest and for their health. If you could only enjoy a swim in the elegant swimming pools fed by great artesian wells, the beautiful scenery, and take a few drinks of that water, you would feel like a new man. You would then be ready to vote for an adequate appropriation. One of these artesian wells flows 2,500 gallons of pure, clear sulphur water per minute, and there are many others almost as large. During the summer season you can see thousands of visitors there, and it is not a local park either, for they go there from all sections of the country. On a visit there you will see the old, young, decrepit, and healthy men, women, and children, swimming in these pools each day and enjoying themselves and bringing back lost health, vigor, and manhood.

The chemical tests of the water show that they contain medicinal properties of great value to the human body. The bromide water is almost a sure cure for all forms of nervousness, sleeplessness, stomach, and digestive ailments. If you have trouble in sleeping, a few drinks of this water and a swim in one of the pools will cause you to enjoy that sleep and rest so essential to vitality and good health. The sulphur water is one of the best treatments for rheumatism by drinking and hot baths. I have seen the most stubborn cases yield to this treatment in a few days, and for the treatment of all kinds of skin diseases the water is unsurpassed. The water in the pools is always pure, as it runs all the time from the wells on one side and out on the other.

Perhaps most of the visitors to this park are people of moderate means who can not go to the more expensive parks, but they visit there from all sections, and people of means enjoy the hospitality of these people and the benefits of the water. You can find everything you want in the way of legitimate amusements and, in addition to that, can have your health restored if impaired. Excellent camping grounds are provided for those who do not want to stop at hotels, and no fee is charged. It costs you nothing to camp there and drink the water, and other expenses are as reasonable as you will find anywhere. The superintendent in his report for this year says:

The principal roads at Platt have been widened, graded, and resurfaced. Automatic electric pumping units and containers have been installed at Bromide Springs. Three double comfort stations were built and completely equipped. Black Sulphur Springs were improved by having the principal spring housed in a container of conglomerate rock. All trails have been improved. The construction of an amphitheater at Platt for summer chautauqua programs is planned by the Oklahoma Federation of Women's Clubs. Plans for the amphitheater have been drawn by the service's landscape engineer. The federation also proposes to build an art colony adjacent to the park.

Mr. Chairman, no more beautiful and healthful place could be selected for these buildings, and the Women's Clubs of Oklahoma are to be congratulated upon selecting this place.

The city of Sulphur is one of the finest little cities in the country, with an elegant and large auditorium, a fine new courthouse, an excellent school system, churches of almost all denominations, private hospitals, bathhouses, first-class physicians, surgeons, and everything that could be expected in an up-to-date city. Sulphur is on the Ozark Trail and the Bankhead Highway. It is on the principal motor route through the State, and is reached by both the Santa Fe and Frisco Railroads. Motor cars and service cars meet all trains. This park is near the famous Washita River, which flows through one of the most beautiful and fertile valleys in the world. It is also near the beautiful Arbuckle chain of mountains, which contains many beautiful springs and provides fine fishing at all times. The principal value of this park is in restoring people to health, renewing the health of youth, and giving you a more promising outlook for the future.

Mr. Chairman, this park, as all the others, should be properly provided for in conformity to the national-park program. I am for this program and the continuation of improving our national-park system. It takes some money, of course, as it does to provide for other Federal activities. Many improvements are needed in the park, and in order to have them it is necessary to have additional appropriations. Among these improvements there is needed more road improvements, extension of sewer and water lines, additional comfort stations, tree planting, better fencing around the park, better improvements at the leading springs, drilling of additional wells, dams across the creek flowing through the park, improved camping grounds, the construction of new modern residences and office buildings for the superintendent and other employees. There should also be established in this park Government bathhouses, where people can bathe in these unequaled, health-restoring waters and be restored to health at actual cost. This is one of the most needed improvements for this park. There is no other park that furnishes such water and in such abundance, and our Government can render no better service than in restoring the health of its citizens who are unable to go to private hospitals. I have mentioned some of the needed improvements, and sufficient appropriations should be made for this purpose. The amount recommended by the committee, while larger than last year, is not adequate, and I trust that this House will adopt my amendment to raise this amount to \$25,000, which is a small increase for such a worthy cause.

Mr. CRAMTON. Mr. Chairman, I hope the amendment will not prevail.

The amendment was rejected.

The Clerk read as follows:

Yosemite National Park, Calif.: For administration, protection, and maintenance, including not exceeding \$2,500 for the purchase, maintenance, operation, and repair of horse-drawn and motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, not exceeding \$3,200 for maintenance of that part of the Wawona Road in the Sierra National Forest between the park boundary 2 miles north of Wawona and the park boundary near the Mariposa Grove of Big Trees, and not exceeding \$2,000 for maintenance of the road in the Stanislaus National Forest connecting the Tioga Road with the Hetch Hetchy Road near Mather station, \$256,000; for construction of physical improvements, \$45,000, of which not exceeding \$35,000 shall be available for a hospital and for completion of equipment of same in Yosemite Valley, \$2,000 for a detention building, \$2,000 for a public comfort station, and \$6,000 for two employees' cottages; in all, \$301,000.

Mr. CRAMTON. Mr. Chairman, in connection with the Yosemite item I would like to comment a moment on certain correspondence with reference to logging operations in the park and near it.

One, W. G. Van Name, has a letter in the New York Times of December 8. I think from the same source comes a pamphlet that has been circulated to Members of Congress. I shall ask to have inserted in the RECORD the letter from Mr. Van Name, and I shall also ask to have inserted a letter

from Mr. Mather, the Director of the National Park Service, on the same subject, and permit me at this time only to say this with respect to the Yosemite National Park: Any of you who have gone over the Wawona Road must have been distressed by the logging operations within sight of this entrance road and within the park boundaries. The unfortunate thing was that there was a large area there privately owned by a lumber company and they have gone ahead with their operations. Due to the activity of Mr. Mather and others, transfers have been made in an effort, at least, to protect the area immediately adjacent to the road, exchanging for those lands adjacent to the road other lands in remote places where they would not be as important, that being the only way that the situation could be improved.

There is another situation that needs attention that is outside of the park on what is known as the Big Oak Flat Road, if I remember the name correctly, an entrance that is recently being developed and where an effort is being made, and I think the State and local interests are attempting to work out something at least to protect the forests that are going to be adjacent to this important entrance road. Personally, I feel if such men as Mr. Van Name, who are distressed by this denuding of land in or adjacent to a national park, will cooperate in trying to work out this situation on the Big Oak Flat Road, it would be a very fine thing to do and a very good field for their activities.

I ask unanimous consent to extend my remarks as I have indicated.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

The matter referred to follows:

[From the New York Times, December 8]

NATIONAL PARK GRABS—SHIFTING OF BOUNDARIES BY CONGRESS HAS BEEN QUITE GENERAL

To the EDITOR OF THE NEW YORK TIMES:

I heartily agree with The Times editorial protesting against the invasion of the Yellowstone National Park by Idaho irrigation interests, and it is to be hoped that those who are opposing it will be able to block the scheme.

It will, however, be very difficult to do so, for the reason that for years commercial interests have been allowed to hack away at the national parks, with very rarely any protest from anybody, and the principle is now pretty well established that national parks are not permanent, and that their boundaries are to be shifted by Congress at any time whenever it is desired to open up their forests to lumbermen or their valleys and canyons to water power or irrigation promoters.

This process began more than 20 years ago. At that time (1905 and 1906) by means of two bills passed by Congress, cutting off about 500 square miles, or more than one-third, from the Yosemite National Park, the greater part of the finest forest in the park was eliminated from it. By means of acts passed in 1912 and 1914 the Secretary of the Interior was empowered to dispose of any timber in the park if he "deems it advisable." Exchanges have been made under these acts of magnificent standing forest for logged-off private lands, and the wonderful forests that all who have entered or left the park by the Wawona or Stockton roads will remember are rapidly melting away.

In 1913 came the grab for the Hetch-Hetchy Valley. This was not desired for San Francisco's water supply, as was pretended, but for a reservoir for a water-power development. Owing to the immense expense that would be involved it is unlikely that San Francisco will ever attempt to get water from that source, and if it does, it will be from a point far outside the Yosemite Park.

In 1921-1923 persistent efforts to take away the whole southern half of the Sequoia National Park in California were defeated only with great difficulty. These having failed, another attempt was made in 1924 by the same interests to get a smaller slice of the park. These bills, had they passed, would have eliminated from the park some of the finest of the big trees the park was established to protect.

A few years ago a piece was trimmed off Mount McKinley Park in Alaska to permit of a mining development.

In 1924 a small piece was legislated out of the Rocky Mountain Park for reservoir purposes.

The present Congress has already subjected three of the national parks to the trimming process. Pieces were cut off the Sequoia, Mount Rainier, and Rocky Mountain Parks by the session that came to an end last July. No proof of any public necessity for taking away any of these parts of the parks was given by anybody.

Measures for still further trimming the national-park system are holding over from that session and may be passed this winter. These include proposals to cut off the northern and southwestern

parts of Rocky Mountain Park (there is considerable timber there), a strip on the southern border of the Grand Canyon Park, in spite of the fact that the boundary is quite near the canyon rim, and three other notches out of the Yellowstone Park, besides taking the area in the southwest part to which The Times editorial refers.

W. G. VAN NAME.

NEW YORK, December 6, 1926.

UNITED STATES DEPARTMENT OF THE INTERIOR,
Washington, December 9, 1926.

Mr. LOUIS C. CRAMTON,

Chairman Subcommittee on Appropriations.

DEAR SIR: I think that something ought to be said to those interested in the parks about the activities of W. G. Van Name, whose letter under the headline of "National Park Grabs" appears in the New York Times of December 8. Mr. Van Name, who is accredited to the American Museum of Natural History, has consistently, over a period of several years, misrepresented the careful and painstaking work which is being done toward the revision of national park boundaries.

The President's Committee on Outdoor Recreation, consisting of several members of the Cabinet, appointed a commission some two years ago to study the national park boundaries, looking to adjustments that would work for better administration and would allow certain additions to the present parks which were felt to be necessary. Representative HENRY W. TEMPLE, of western Pennsylvania, a former member of the faculty of Washington and Jefferson College, at Washington, Pa., was appointed chairman of this commission. Col. W. B. Greeley, the Chief Forester, and myself, as Director of the National Park Service, were appointed on the commission, the other two members being Charles Sheldon, the well-known conservationist, and Maj. W. A. Welch, manager, Palisades Interstate Park. Mr. Sheldon was not able to visit the western areas with the other members of the commission, and his place was taken temporarily by Mr. Barrington Moore, of New York.

The commission made their first careful study of the Yellowstone situation the summer of 1925, and recommended unanimously the addition of the Tetons to Yellowstone Park, as well as the addition of the great watershed of the upper Yellowstone River, which would make it possible to preserve the wild life far better than with the present artificial boundaries. These recommendations went to the Congress, but no action was taken at the last session, as one or two of the Idaho representatives wished to have an elimination made of the southwest corner, known as the Bechler River section, so it could be used for reservoir purposes. Such elimination was, of course, strongly opposed by the friends of the national parks and by the National Park Service itself, but the effort succeeded in holding up all legislation looking to the important additions that had been proposed by the commission.

In the same summer of 1925 the commission visited the Grand Canyon National Park and made a study of the entire area, both the north rim and the south rim, and recommended substantial addition to be carved out of the Kaibab National Forest on the north rim, and eliminated one or two desert areas on the south side. This bill, as recommended, was passed by the House at the last session, and is now awaiting action in the Senate.

A report was also made on the proposed addition to the Sequoia National Park. Both Colonel Greeley and myself, as heads of our respective services, were favorable to the addition of the two great canyons of the Kings and the Kern to the present Sequoia National Park. However, some objection had arisen as to the Kings River section, which we expect will later be overcome, and a bill was introduced for the addition of the Kern River section, including Mount Whitney, the highest peak in continental United States, to the present Sequoia Park. This bill passed both Houses at the last session and was signed by the President shortly before adjournment, and adds a total of 352 square miles to the park. These proposed additions to Sequoia National Park have been up for a period of over 10 years; and, in fact, John Muir had made suggestions as many as 30 years ago for the addition of the Kings River to the Sequoia Park, which had been created a few years before. Mr. Van Name precipitated himself into an earlier discussion on the proposed changes, claiming that Colonel Greeley had sold out to the lumbermen in view of the fact that a small area at the south was to be eliminated from the park. Those statements were absolutely without foundation, and when I taxed him publicly before the Public Lands Committee several years ago for his evidence he was unable to give any, and at that time I called attention to the fact that one of the worst things that a public official, trying to do his duty, has to contend with are the innuendoes with occasional half truths.

As regards Yosemite National Park, a very complete study was made this summer of the proposed changes in that park. Several of us were quite desirous of having returned to the park some of the magnificent scenery at the headwaters of the San Joaquin, which were eliminated some 21 years ago, as Mr. Van Name states. John Muir has stated that Mounts Banner and Ritter, which the commission has voted should be returned to the park, contain the most magnificent scenery in the Sierra Nevada between Mount Shasta and Mount Whitney.

As regards Mr. Van Name's statements in regard to the cutting of forest timber within Yosemite Park on the west side, and which he has backed up with a pamphlet showing pictures of logged-over lands, etc., it looks to me as Mr. Van Name was deliberately misrepresenting the situation. The Yosemite Lumber Co. has owned long before the park was created many thousands of acres within the boundary of Yosemite National Park. The Congress has never seen its way to buy this land and thus eliminate the private holdings.

Doctor Van Name overlooks when he attacks the Park Service regarding the use of Hetch Hetchy Valley, in the Yosemite National Park, for water and power purposes for the city and county of San Francisco, that the act granting to the city and county rights of way and land for this purpose was passed by an act of Congress and approved by the President December 19, 1913, almost three years before the creation of the National Park Service, and it was, therefore, a condition that was inherited by the National Park Service on the date of its establishment. He can also learn, if he will take the trouble to investigate, of the opposition which was made to this measure and the extensive discussion held prior to enactment of the act by reading the CONGRESSIONAL RECORD of those days.

By my own efforts in the Sequoia National Park I did secure personal contributions of some \$200,000, by which the magnificent stands of Sequoia gigantea were turned over without cost to the American Government and preserved for all times for the benefit of the American people. This was a very wearing task, and it was impossible for me, with my administrative work, to try to raise the many hundreds of thousands of dollars which would have been necessary to eliminate the holdings of the Yosemite Lumber Co. However, we did have the legal right to exchange the timber within the boundary of the Yosemite National Park under the act which Mr. Van Name disparages, but which has enabled us to give for timber and land along the beautiful Wawona Road timber only in isolated sections of the park, and where later on reforestation should bring the country back to a measure of its original attractiveness. One can now travel over the Wawona Road from a point outside the park directly to the Yosemite Valley, with the realization that a large class of timber which makes up such a large part of its beauty will never be cut. The Yosemite Lumber Co. has recently transferred its operations from the southern side of the Merced River to the northern side, where it holds some of the most magnificent stands of sugar pine that are within the State. In the Yosemite National Park we have three groves of the Sequoia gigantea, the well-known Mariposa Grove, a few scattering trees of the Tuolumne Grove, and a few trees known as the Merced Grove, which lie on the old abandoned Coulterville Road. The actual ownership of the Government in this area was 40 acres, which comprehended the entire grove of trees, but around it was a fine stand of sugar pine and other conifers which was entirely in the ownership of the Yosemite Lumber Co., which they recently cut off in connection with their operations, leaving a completely devastated area, which takes off very materially from the beauty of this small group of big trees. There is no way to stop this cutting unless Congress would appropriate the money or personal gifts be made, as has been done by the Save the Redwoods League in preserving timber along the highway in Humboldt and Del Norte Counties in California.

Mr. Van Name could have done a very graceful thing if he had used his energies in getting contributions for the purpose of buying this timber instead of issuing multitudinous pamphlets that told only a small part of the story.

In his letter Mr. Van Name makes reference to changes in the boundaries of other parks, which shows a woeful lack of information. He states that a piece was trimmed off of Mount McKinley Park, in Alaska, to permit of a mining development. As a matter of fact, one or two important additions have been made to Mount McKinley Park since it was first created to better preserve the wild game in that section. As regards mining developments in the park, there is a provision in the enabling act which allows prospecting and mining, so that there will be no need for cutting out any portion of the park, as he states, for mining development.

In connection with the elimination from Rocky Mountain National Park, made by act of Congress passed last year, the principal elimination was on the east side and was for the purpose of excluding from the park much of the privately owned land in the Estes Park and Long Peak districts. Eleven thousand four hundred and eighty acres of privately owned land were eliminated. A small tract of land on the north boundary was also eliminated. This was desirable owing to the fact that the old boundary cut across a small lake which was needed for use as a storage reservoir. The outlet of the lake where the storage works are to be constructed was outside of the park and could have been built without the consent of the Park Service.

Further adjustments on the north, west, and south boundaries were approved by the coordinating commission, but because of alleged mineralization and other natural resources of areas to be added, local opposition developed and no action was taken. The proposed addition south of the park comprises 79.6 square miles, to and beyond the Arapaho Glacier, the largest glacier in the State. (It includes a

magnificent section of the Continental Divide.) The area at headwaters of the Colorado River on the northwest, comprising the Pacific slopes of the Never Summer Mountains, an area of 22 square miles, is distinctly of park character and should be added.

Further proposed eliminations from the park comprise an area along the north line of the park, which is good country but does not contain any scenic values essential to the park. The area to be relinquished has some good timber values and some grazing values. The area amounts to about 32 square miles. The area south of Grand Lake on the west line, proposed to be transferred to the national forest, amounts to 18 square miles. Its value for park purposes is not important, although it has some timber values, mostly lodge-pole pine. The area is not now developed for or used by park visitors. There are several tracts in private ownership in this area that would be excluded.

As regards Mr. Van Name's statement about Mount Rainier National Park, the changes are minor ones to conform to natural boundary lines and in the interest of good administration. The changes occur in the southwest, northwest, and northeast corners, where boundary lines formed by rivers issuing from the park are substituted for the old arbitrary boundary following land lines. There is a net addition to the park of 422 acres.

The commission has also made a study of the Crater Lake National Park this past summer, but has not yet rendered a decision. If the views of the National Park Service are carried out, it will make substantial addition of very interesting timberland west of the park, and now in the national forest, carrying types of trees and some scenic country which is not to be found in the upper reaches of the park, which runs principally to lodge-pole pine.

I am sure that if Congressman TEMPLE, whom Secretary Hoover has mentioned as one of the 10 outstanding men in the lower House, should be approached by Mr. Van Name, he would be very glad to have the commission listen to any statements that he has to make. I can not emphasize, however, too strongly that this type of guerrilla warfare that Mr. Van Name has carried on for several years will accomplish no good purpose, but simply, as it has done, confuse the minds of many of our legislators who would assume that Mr. Van Name is carrying out his propaganda pro bono publico.

Very truly yours,

STEPHEN T. MATHER, *Director.*

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word. I do this for the purpose of once more calling the attention of the House to the great work that is being done in our national parks. I am very glad to see the headway that has been made in reading the park section of this bill, and if it were not for the fact that the chairman of the subcommittee had interrupted the reading for the insertion of correspondence I should not have followed the bad example of saying anything at this time. But it may not be out of place for one Member of the House, not on the Appropriations Committee, to bring to our attention the need of the retention of the services of the type of men who are interested in the park work. I happened to see quite a good many of the superintendents and head rangers who were here a few weeks ago in convention. I wish that group of men might have been shown to the House of Representatives as typical of the men doing the park work when there is the esprit de corps that evidently exists under the director, Mr. Mather. They are a wonderful type of men. The country is to be congratulated that it can get men of that character at the small salaries that they are paid.

There is another side that impresses me very much on the park subject, and that is the need that Congress must recognize by appropriations for carrying on this great work. As our population has increased the nature beauty spots are being absorbed, and unless Congress steps in, as we did at our last session when we passed the necessary legislation to secure two attractive locations south of Washington, the Shenandoah Valley and the Great Smoky Mountain section, in North Carolina and Tennessee, there will be no vacation spots left. Another addition to the park system at the same time was Mammoth Cave in Kentucky. Some of the natural attractions of our country were brought into great prominence during the administration of President Roosevelt. That example should be followed, and I for one stand ready to co-operate, so far as I can personally, in publicly acclaiming the desirability of Congress being as liberal, as the department may ask for retention of the present pleasure spots and add to their size and accessibility wherever nature has given us the opportunity. If under the supervision of such men as Mr. Mather and men he is able to bring to him the physical opportunity can be had, we ought to do our part for the benefit of the vacation people throughout the country. [Applause.]

The Clerk read as follows:

Carlsbad Cave National Monument, N. Mex.: For administration, protection, maintenance, preservation, and improvement, including \$2,500 for the construction of a bunk house for laborers, \$19,800.

Mr. MORROW. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 83, line 7, after the word "laborers" strike out the figures \$19,800 and insert the figures \$30,000.

Mr. MORROW. Mr. Chairman, in justification of this amendment I want to say that this monument comes in a different class than the national parks. It is a paying proposition. They pay \$2 each for entering the caverns. The caverns require further development in the way of making trails and in providing for improvement of the trails already made. The appropriation of \$19,800 takes care of a portion of that amount, but the revenue of this park during this year has reached the sum of \$22,000 in eight months, and will perhaps reach \$30,000 in a year.

It is estimated by the custodian that it will reach \$100,000 in the year 1927. As this is the largest cave in the whole world so far discovered and the most picturesque cave in the world, and is a great nature study for tourists, we believe that the tourists ought to have all the safety, convenience, and comfort than can be provided.

The custodian of the monument is asking for \$50,000, but I, like the park board, desire to be modest in the estimate, and I am asking that the appropriation be amended to the sum of \$30,000.

Mr. CRAMTON. Mr. Chairman, the situation at that park is of the greatest urgency to take care, as the gentleman has suggested, of the safety and security of those who are visiting the park in great numbers constantly. A larger appropriation no doubt is needed. The matters that have been presented before the committee with reference to the revenues derived from the park satisfies the committee that these revenues, at a conservative estimate in the next fiscal year, will reach better than \$30,000. In view of that fact and the urgent need the committee will accept the amendment which does not go above the anticipated revenue.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Construction, etc., of roads and trails: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks and monuments under the jurisdiction of the Department of the Interior, including the roads from Glacier Park Station through the Blackfoot Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, \$1,500,000, of which amount not to exceed \$7,500 may be expended for personal services in the District of Columbia: *Provided*, That the Secretary of the Interior may also approve projects, incur obligations, and enter into contracts for additional work not exceeding a total of \$2,500,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the purpose of carrying out the provisions of the act approved April 9, 1924, and acts amendatory thereof and supplemental thereto shall be considered available for the purpose of discharging the obligations so created.

Mr. BYRNS. Mr. Chairman, I reserve a point of order, and I would like to ask the gentleman from Michigan what authority of law there is for these contractual obligations.

Mr. CRAMTON. Mr. Chairman, this provides for an appropriation of a million and a half dollars and provides further that the bureau has the authority to make a contract for a further amount. My belief is that there is the same authority to authorize a contract that there is to make the appropriation.

In the handling of one of the large roads it is often desirable to contract for a considerable amount, possibly more than they would need to take care of within a year. So this has developed. I answer the question of the gentleman by saying that I think there is the same authority to recommend authorization of contracts that there is to make appropriation of money; but, to go a little further than the gentleman's question, I feel that the thing is getting a little lopsided; that the cash appropriation ought to be larger than the authority to contract; but the item itself in the bill is largely in its present form, so that the committee could give the House an opportunity to express itself as to the policy of road construction on the question of whether it should go forward on a basis of a million and a half dollars a year or two and a half million dollars a year. Altogether nearly \$30,000,000 are involved, and the committee felt we ought to proceed at the rate of two and a half million dollars a year.

This is not increasing the cash expenditure, not increasing the bill to that amount above the Budget, but giving this

authority will be approving a future program arranged on the basis of two and a half million dollars a year.

Mr. BYRNS. Mr. Chairman, I have supposed the cash appropriation of a million and a half dollars was made under the authority of the act of April 9, 1924.

Mr. CRAMTON. That may be true; but it is also true that there is ample authority for an appropriation entirely apart from that law. In the first place, there is authority to appropriate to build roads on Government property anywhere. Further, the act creating the National Park Service gives the committee a jurisdiction over development and use of the parks that includes the construction of roads as a necessary incident. The act the gentleman refers to did specifically authorize roads to the extent of seven and a half million dollars, but without that act, before that, we were building roads in the parks. We had authority to do so, and the Committee on Appropriations had authority to report appropriations. The statute creating the service said:

The service thus established shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations herein specified by such means and measures as conform to the fundamental purpose of said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects, the wild life therein, and to provide for the enjoyment of the same in such manner by such means as will leave them unimpaired for the enjoyment of future generations.

So that there is ample authority for the construction of roads apart from that act. Perhaps the gentleman would desire this further statement. The act the gentleman refers to, seven and a half million dollars, will have been exhausted in so far as that is of any effect with the use of the million and a half dollars of cash provided in this bill, and an additional million and a half dollars that the Budget recommends as an authority to contract. The recommendation of the committee for two and a half million dollars then reaches a million dollars over and beyond that seven and a half million dollar program, but is entirely authorized by the act which I have read.

Mr. BYRNS. Mr. Chairman, my attention was attracted to this paragraph by reason of the fact that it referred to the law of April 9, 1924. Of course, that law expired by limitation this year and I was wondering just why, if this be not subject to a point of order, Congress three years ago should have passed a bill authorizing appropriations amounting to \$7,500,000 for three years. As the gentleman knows, I have always been very friendly to the national-park system. I am anxious to see it grow, and I am anxious to see every improvement and development possible made in those parks. My inquiry was not because of any unfriendliness to this proposition, but it was due to the idea that I had that if we are going to build up and pursue a policy which the gentleman from Michigan [Mr. CRAMTON] states will cost ultimately \$30,000,000, then Congress ought to adopt that policy by way of a legislative bill rather than in an appropriation bill; but in view of the statement made by the gentleman from Michigan I withdraw the reservation of the point of order.

Mr. CRAMTON. Mr. Chairman, I think, perhaps, the language of the bill ought to be corrected. My attention had not been attracted to that clause, and I think there is force in what the gentleman suggests, because the appropriation is not to be based entirely on the act of 1924. Therefore, I move to amend by striking out in lines 8, 9, and 10, beginning with the word "purpose" in line 8, down to and including the word "thereto" in line 10, the language to be stricken out being as follows:

purpose of carrying out the provisions of the act approved April 9, 1924, and acts amendatory thereof and supplemental thereto—

And inserting in lieu thereof the following:

construction of roads in national parks and monuments—

So that it will read:

and appropriations hereafter made for the construction of roads in national parks and monuments shall be considered available for the purpose of discharging the obligations so created.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 86, beginning in line 8 with the word "purpose," strike out the remainder of line 8, all of line 9, and line 10 down to and including the word "thereto," and insert in lieu thereof the words "construction of roads in national parks and monuments."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

None of the appropriations contained in this act for the National Park Service shall be available for any expenditure in connection with the issuance of automobile permits or the collection of charges therefor, except such permits and charges which entitle the holder to entrance to all of the national parks and national monuments alike, upon the payment of a single annual permit charge of not more than \$2.

Mr. BYRNS. Mr. Chairman, I make the point of order against that amendment upon the ground that it changes existing law, and is legislation on an appropriation bill, and seeks to add to the duties of an executive officer of the Government.

Mr. CRAMTON. Mr. Chairman, the paragraph is strictly a limitation. It does not change any existing law. There is no existing law on the subject. It simply provides that none of the appropriations contained in this act for the National Park Service shall be available for any expenditure in connection with the issuance of automobile permits or the collection of charges therefor, except such permits and charges which entitle the holders to entrance to all of the national parks and national monuments alike, upon the payment of a single annual permit charge of not more than \$2.

The situation, of course, which the paragraph attempts to reach is to prevent the charging of a separate automobile fee at each park that the tourists visit. If one visits a number of parks with an automobile the charge becomes quite an item, to a great many of these visitors who are making a vacation trip with more or less limited funds. This bill does not lay down any law, any legislation, but simply says none of the appropriations contained in this act shall be available for any expenditure in connection with the issuance of automobile permits or the collection of charges therefor nor automobile permits that charge more than \$2, and so forth.

Mr. BYRNS. Mr. Chairman, I do not care to discuss the merits of the proposition. I will say, though, in view of what the gentleman from Michigan has said, that if he had made this fee \$7.50 in accordance with the fee paid at the Yellowstone Park instead of \$2, I do not think I should have raised the point of order.

Mr. CRAMTON. Will the gentleman permit?

Mr. BYRNS. Certainly.

Mr. CRAMTON. There has been an adjustment of fees at the present time. The Yellowstone only charges \$3.50, and other parks \$2 and \$2.50, and the effect upon the revenues of the Treasury is not so great, for the reason, of course, because of the greater number of visitors to the parks.

Mr. BYRNS. I am very much surprised that the Secretary in charge of the parks should have made that regulation, in view of his consistent position before this. When the gentleman from New York, Mr. Fitzgerald; Mr. Sherley, of Kentucky; and Mr. Good, of Iowa, were chairmen of this committee, and when this appropriation was carried in the sundry civil bill I happened to be a member of the subcommittee which had charge of the bill, and it was always the policy and intention of the Appropriations Committee at that time and of the House that, while it was not expected that these parks would fully pay their way, there would come a time when they would more nearly bring in a revenue approaching what they cost the people. Now, here is the proposition. We are spending three million three hundred thousand and odd dollars for the maintenance of national parks, and last year, according to the report, there was eight hundred and twenty-six thousand and some odd dollars collected, making it cost the people of this country about \$2,400,000, in round numbers, and I am very much surprised to learn that the Secretary in charge of parks has proceeded to reduce the fee on four hundred and some odd thousand automobiles which enter these parks to a very low sum.

Mr. CRAMTON. Will the gentleman yield for an observation there?

Mr. BYRNS. I will.

Mr. CRAMTON. Perhaps I should not discuss the merits of the proposition with the point of order pending, but let me call attention to this. There has been a tremendous increase in the number of automobiles visiting the parks since the days of which the gentleman speaks. I have not the figures all the way back, but comparing 1924 to 1926, only two years, the number of automobiles entering the parks was 315,916 in 1924 and 406,248 in 1926, and each year the number has been increasing. The higher fees the gentleman speaks of became a subject of very great criticism in some quarters. For instance, the American Automobile Association, if I am not mistaken, made some com-

plaint in reference to it. It became a matter of criticism, and I think the department did well to modify the rate.

Mr. BYRNS. Mr. Chairman, I know and the gentleman knows appropriations made for these parks are made for the purpose of establishing camps where there are sewers, where there is hot water for tourists, where there are laundries for the women, and kitchens and camps and all other facilities provided in an ordinary hotel, except solid substantial structures, and the people of the country are being asked to provide these facilities, these extraordinary conveniences for people who have the leisure to go out there and visit these parks without any charge whatsoever to them.

Now, I want to get to the point of order. I am perfectly aware that limitations of a certain kind are in order on appropriation bills, but I submit it is not in order to change existing law, placing extra duties on executive officers and doing so under the guise of a limitation; in other words, to do indirectly what the committee could not do on an appropriation bill directly.

The gentleman admits that there is no law on this subject. He is then seeking, from his own argument, to create a law under the guise of a limitation and put upon an executive officer an additional duty.

I have authorities here which state very clearly that that can not be done. The gentleman from Michigan says there is no law on the subject, although the Director of Parks has been undertaking to assess a charge feature heretofore. So I assume from what the gentleman from Michigan says that the director has been doing that under implied authority to make regulations. But if there is no law on the subject, then the limitation on this appropriation bill seeks to impose upon him a duty, and an extra duty.

Now, let us see what has been decided on the subject. I read, Mr. Chairman, from the Manual, from section 825. In speaking of limitations on appropriation bills this statement appears:

But such limitations must not give affirmative direction, and must not impose new duties upon an executive officer; and must not be coupled with legislation not directly instrumental in affecting a reduction.

Now, I repeat, according to the gentleman from Michigan, here is a limitation which imposes a new duty under the law upon the director of parks, and requires him to charge \$2 as a fee for entrance to the park.

Mr. TREADWAY. Mr. Chairman, will it interrupt the gentleman to ask him a question right there?

Mr. BYRNS. No.

Mr. TREADWAY. Has not the Director of Parks general supervision over the parks under him? He can make regulations to the effect that one automobile fee will cover all the parks? I think there is now an individual charge on each park, but he could accomplish what this phrase would allow him to do, to make a uniform charge for admission to all the parks.

Mr. BYRNS. Personally I think \$2 is too small a sum. I think the Treasury of the United States should be considered in this matter, and we should not undertake to reduce revenues coming into those parks, especially as we are affording visitors such splendid facilities for convenience and entertainment. But I prefer, instead of having Congress place the fee at \$2 for admission to every park in the Union, to leave it to the Director of Parks, and then Congress next year may hold him responsible if he has not properly protected the Treasury. I believe in leaving that to his discretion rather than have Congress fix this fee at \$2, which is too low. It is lower than any fee that he has fixed for any single park. That is my object in making this point of order, and I hope the Chair will sustain it.

Let me read further to the Chair, still from section 825 of the Manual:

Care should also be taken that the language of limitation be not such as, when fairly construed, would change existing law or justify an executive officer in assuming an intent to change existing law.

The gentleman from Michigan says we have got no law, and therefore this quotation is all the stronger, Mr. Chairman, because according to him we are making new law on this subject. I submit that if we can, by specially drawn language, under the guise of a limitation, enact legislation on an appropriation bill, we are destroying the whole purposes of the rules of the House.

Let me further call this to the attention of the Chair. On page 503 of the Manual there is a very learned decision, in which the Chair goes into the whole question; the decision was rendered by Mr. Frederick C. Hicks on January 8, 1923, in which he held that a limitation must not give affirmative direction and must not impose new duties. This is clearly a

new duty, according to the gentleman from Michigan, and must not be accomplished by language indirectly limiting the appropriation. In the course of his opinion Mr. Hicks very clearly and properly says:

The Chair is of the opinion that too much latitude has been given in the employment of limitations and that the practice of resorting to this method of securing, in an indirect way, legislation on appropriation bills has been abused and extended beyond the intention of the rule.

Now if we are to have limitations drawn in special language, then the House will be deprived of legislating in the regular and orderly way. All the decisions, Mr. Chairman, which undertake to construe the rule of limitation strictly are based upon the idea of protecting the House and its duly constituted authorities.

Again, on page 505, in the same opinion, Mr. Hicks lays down just what may not be presented in the form of a limitation, having very carefully collected the various opinions which have been delivered on the subject. He says legislation may not be imposed under the form of a limitation, citing authorities for all these limitations. I read:

The language prescribing the conditions under which the appropriation may be used may not be such as, when fairly construed, would change existing law.

I submit this limitation comes directly under that. And further:

A proposition to establish affirmative directions for an executive officer constitutes legislation and is not in order on a general appropriation bill.

And again:

Limitations must not impose new duties upon an executive officer.

And still again:

A provision proposing to construe existing law is in itself a proposition of legislation and therefore not in order on an appropriation bill as a limitation.

And he cites, as I say, authority for all these conclusions.

Is the limitation—

He says, in speaking on the general subject—

accompanied or coupled with a phrase applying to official functions; and, if so, does the phrase give affirmative direction in fact or in effect, if not in form?

Does the limitation curtail or extend, modify, or alter existing powers or duties or terminate old or confer new ones? If it does, then it must be conceded that legislation is involved, for without legislation these results could not be accomplished.

I do not want to take up any more time of the committee; but, Mr. Chairman, I submit that this is clearly legislation. It clearly imposes new duties upon the Director of Parks. It provides that he shall do something which the gentleman from Michigan says he is not now required to do by law—that is, to issue permits in all of the parks, for which he shall charge the small fee of \$2. I submit that the point of order is well taken.

Mr. CRAMTON. I shall only trespass a couple of minutes more on the time of the Chairman and of the House. In response to the gentleman's suggestion that my position is that we are proposing to add new duties to the Director of Parks, let me say that what I have tried to say has been that there is no law now fixing the amount of these charges or any limit upon them. As a matter of fact, a separate charge is now made for each park. The charge is as much as \$3.50 in the Yellowstone, \$2.50 in the Yosemite, and so on. Quite a number of these cars are owned by those who are not people of wealth. For instance, in the Yellowstone last year there were 40,000 cars that entered the park, of which 9,774 were Fords—not generally used for touring purposes by people of great wealth—and many of the other cars were cars of low price. As a matter of fact, the importance of the matter involved can be judged from the fact that in the Yellowstone last year only 44,000 people went there by rail, while 106,000 people went in automobiles.

We are not imposing any new duty upon the service. It is performing the function already and it is a necessary function. The service must control the roads and it must issue permits. The effort of the committee has been to eliminate the idea of revenue, which the gentleman from Tennessee has emphasized. The idea of the committee has been that there should simply be a regulatory power, so that permits may be issued, and if a person should drive over the roads in the parks while drunk and endanger the lives of others, those permits can be revoked. It gives them that power and regulation, but the paragraph eliminates very largely the idea of revenue. In national parks

the theory of the committee is that the revenue-producing feature should be eliminated, so that they may be truly national in practice as well as in name. The paragraph imposes no new duties whatever; it simply says that none of this money shall be used for a certain purpose; that none of the money shall be available for any expenditure in connection with the issuance of automobile permits or the collection of charges therefor over the amount named.

Mr. TAYLOR of Colorado. Mr. Chairman, just a word. The Chair will notice that in the paragraph following we provide that no charge shall be made for camp privileges in any of the parks. Our whole idea was a regulatory system, as has been suggested by the chairman. When persons go into any park—and some of the parks do not charge anything—they are registered. The automobiles are registered, so that the park service has more or less of a check upon them. It is to systematize the use of these parks in an orderly manner. It is purely a matter of the systematic regulation of the parks; and we felt, in view of the large increase in the number of automobiles, that instead of charging \$7.50 in one and \$3.50 in one, \$2.50 in another, \$2 in another, and nothing in some others, we would make a uniform charge, because the other system of charging is a cause of complaint and criticism. The Director of the Park Service and everybody connected with it seem to feel that we should have some uniform system, some regulation of this thing. We have the authority to collect. Nobody has ever questioned our authority to collect a fee, and all this does is to make it orderly in the various parks so that we may have a uniform scale, have one admittance fee to all the parks, and no charge for camp-site privileges, because they do not want to go around and collect 25 cents every night or morning for these camping privileges. It is purely in the interest of the orderly administration of the Park Service. We had no thought of legislation at all.

The CHAIRMAN. As to the merits of the legislation the present occupant of the chair is in no position to express an opinion. Much of the argument on the point of order has been directed to the merits or to the object which the provision desires to accomplish, while little attention has been paid to the parliamentary situation confronting the Chair.

The Chair is of the opinion that that part of the paragraph, beginning in line 13 and running down to and including the word "thereof," in line 16, is clearly a limitation, and the Chair is as clearly convinced that the remainder of the paragraph is legislation.

The gentleman from Colorado [Mr. TAYLOR], a member of the committee in charge of the bill, has asserted that it was the intent of this paragraph to create and establish a system or regulation which proposes nothing more than legislation. Therefore, for the reasons fully set forth in the ruling of Chairman Hicks in passing on a similar point of order on January 8, 1923, the Chair feels constrained to sustain the point of order. In making this decision, the Chair appreciates that in the earlier decisions a broader latitude was given to limitations of this kind, but in the later decisions such limitations have been held to propose legislation. The point of order is sustained and the whole paragraph goes out.

Mr. McKEOWN. Mr. Chairman, I want to offer an amendment at this point, and I had predicated it upon the language already in the paragraph. I have not reduced it to writing to conform with the bill as it now stands, but I would like to have it reported from the Clerk's desk.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. McKeown: Page 86, line 15, after the word "in," strike out all of the balance of the paragraph and insert in lieu thereof the following: "the collection of charges for entering any park."

Mr. CRAMTON. Mr. Chairman, as I understand, the gentleman is offering an amendment to the paragraph which has just gone out on a point of order.

Mr. McKEOWN. I just explained to the Chair that at the time the point of order was sustained I had not time to offer the amendment in its proper form; but my amendment would include the lines down to the word "in" in line 15 of the paragraph just stricken out—

that none of the appropriations contained in this act for the National Park Service shall be available for any expenditure in.

My amendment adds the words—
the collection of charges for entering any park.

Mr. BYRNS. Let us have the amendment reported again.

Mr. McKEOWN. The amendment is to the language—

none of the appropriations contained in this act for the National Park Service shall be available for expenditure in.

The CHAIRMAN. In order to clarify the situation, just what is the gentleman attempting to amend? To what does his amendment apply?

Mr. McKEOWN. My amendment would be a new paragraph in lieu of the one stricken out on a point of order and would read as follows:

None of the appropriations contained in this act for the National Park Service shall be available for any expenditure in connection with the collection of any fees for entering any park.

Mr. CRAMTON. Mr. Chairman, is this what the gentleman is suggesting, that—

none of the appropriations contained in this act shall be available for expenditure in connection with the issuance of automobile permits and the collection of charges therefor.

Mr. McKEOWN. No; I left out the words "in connection with automobile permits." I think they should have the right to issue permits for the purpose of regulating the parks but not for making any charges for entering the park.

Mr. BYRNS. Mr. Chairman, I am going to make a point of order on that.

Mr. CRAMTON. I will say to the gentleman from Oklahoma that there is no charge made for entering the parks except Carlsbad and Wind Cave.

Mr. McKEOWN. There is a charge made for automobiles entering the park at Yosemite and also at Yellowstone.

Mr. CRAMTON. It is not for entering; it is a charge for a license or permit.

Mr. McKEOWN. I understand; but it is just the same thing from a practical standpoint.

Mr. CRAMTON. I make the point of order, Mr. Chairman, that the amendment is subject to the same objection that has just been raised, and while I do not agree with the gentleman from Tennessee or with the Chair, I am bound to accept the ruling of the Chair.

Mr. McKEOWN. This is a clear limitation.

The CHAIRMAN. If the amendment was before the committee we might understand just what is proposed.

Mr. McKEOWN. My amendment was prepared on the theory—

The CHAIRMAN. I appreciate it was prepared on another theory, but we would like something tangible and definite to go on.

Mr. CRAMTON. Mr. Chairman, let me ask the gentleman from Oklahoma to let the Clerk proceed with the reading of the bill and then the gentleman, when he gets his amendment in form, can offer it and not delay us now.

Mr. McKEOWN. I do not want to lose any of my rights.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the reading of the bill may proceed and that we may return to this point in the bill later for the purpose of receiving the gentleman's amendment.

Mr. CRAMTON. With all reservations as to points of order, and so forth, Mr. Chairman.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

None of the appropriations contained in this act for the National Park Service shall be available for expenditure within any park or national monument wherein a charge is made or collected by the Park Service for camp-ground privileges.

Mr. BYRNS. Mr. Chairman, I want to ask the indulgence of the committee for two or three minutes in order to make my position clear. I notice in the hearings that it was stated that the committee was in favor of certain policies, and I simply want to say, as a member of the committee, I do not subscribe to the suggestions made nor do I think a majority of the committee do, and I do not want the Director of the Parks to get the idea that this is an expression, either from the House or from the Appropriations Committee, that only \$2 should be charged. The gentleman has stated over four hundred and odd thousand automobiles entered these parks each year and the fee now is \$3.50. It was originally \$7.50 for the Yellowstone and it was \$5 for the Yosemite, but the Director of Parks, acting within his legal authority, has reduced the amount to the fees now charged. It cost the United States Treasury \$3,243,409 last year in appropriations to take care of these parks. The revenue under the present regulations amounts to \$826,454.17. So it is costing the Treasury of the United

States, under present arrangements, nearly two and one-half millions. In explanation of these charges, Mr. Mather said:

As rapidly as conditions would allow we established these public camps for the convenience of these automobile tourists on a better and better scale, with more and more facilities, even down to the laundries for the women in one or two of them, with hot water, etc., and we felt then that we were giving a much better service and were in a much better position to defend these charges than simply on the basis of a road charge.

Mr. CRAMTON. Will the gentleman yield?

Mr. BYRNS. I yield.

Mr. CRAMTON. The gentleman should add, in that connection when he balances the revenue of a certain year with expenses, that the far greater proportion of expenditures each year is in the nature of permanent improvements that will last for many years, for instance, \$2,000,000 for roads, and then there is the construction work and many other permanent improvements.

Mr. BYRNS. Yes; but the gentleman is inaugurating a road program in the preceding paragraph of this bill of \$2,500,000 per annum. The gentleman said in general debate that it would ultimately cost the people of this country \$30,000,000 to complete the roads. In the preceding paragraph we are inaugurating a permanent road program for the next 12 years, according to the gentleman, at a cost of \$2,500,000 every year, and at the same time we are seeking to reduce the fees for permits in these parks.

Now, I submit that in the present condition of the Treasury, if the director of the parks, or if this committee, should undertake now to reduce these revenues, you are going to find in the future that Congress is going to be much slower in making appropriations for the proper development and maintenance of the parks. Because there can be no excuse in my opinion for the people of the entire country paying \$3,300,000 a year and, in addition, starting a road program of \$2,500,000 a year, and reducing the revenues from the automobiles when they could pay \$7.50 or even \$20. I want to say that if the Director of the Parks undertakes to reduce the fees, and thereby reduces the revenue, he may expect vigorous protest upon the floor of the House against such action and a disposition not to be so liberal with future appropriations.

I am proud of the national parks, I have always been friendly to them. I am speaking as a friend of the national-park system, because I want to see these parks properly developed and maintained. I want to see liberal appropriations, but I protest against the attitude that we ought to spend all the money to provide extra facilities at the expense of the people of the United States, and that those who have leisure time to go there should not be required to pay anything toward the conveniences furnished them.

Mr. CRAMTON. Mr. Chairman, I never realized that I disagreed on so many things with the gentleman from Tennessee. His theory and mine are entirely different as to national parks. It is my idea that when people go to national parks that they should be allowed to walk in with no charge other than those of regulation. It is necessary to issue permits for automobiles in order that we may control them.

I spent a little time this summer over across the water. Every place you go the tin cup was held out for an admission charge. I visited the zoo in Rome. You pay to go in, and after you get in you come to some inclosure where there is an animal and you have to pay again to get into that building. That is the European idea. In Washington if you want to visit the Zoo you walk in. There is no charge. I can not imagine the gentleman from Tennessee advocating paid admissions to a local park. There ought to be no admission for going into a public building. When you come to a national park there should be no charge; it should not be put on a revenue-producing basis. We should provide the facilities necessary that will enable the people of this country, those of small means, to go there and have places for them to camp in the park. Those who want to travel de luxe can find hotels and tents for those who want to provide for themselves, and there are camps where they can set up their tents and can cook their own food and have all of those facilities. The gentleman seems to question the propriety of having places to wash clothes and take baths or having them provided at the expense of the Government of the United States. I think they should be provided by the United States as long as they are called national parks.

Mr. BYRNS. I do not question the propriety of providing camps and all the sanitary facilities, but I do insist that when the people of the United States are called upon to provide them

that those who do enjoy them should pay a reasonable fee for enjoying them.

Now I want to ask the gentleman this question. The gentleman asked the director, Mr. Mather, about that proposition, and I want to ask if anywhere in the hearings Mr. Mather advocated this.

Mr. CRAMTON. I do not know that that is material. I feel this—that Mr. Mather is not opposed to such a program. What he might advocate—he has to consider a lot of questions as to what the Budget thinks about things, and what the Secretary of the Interior thinks, and I have no business to quote Mr. Mather. I will say that no question was asked him, but I know Mr. Mather is not enthusiastic about emphasizing revenue producing.

Mr. BYRNS. I understand, and neither am I, so far as making the parks wholly sustain themselves, but Mr. Mather was asked the question, and I gathered a contrary impression to what the gentleman seems to have, that he was really opposed to this because, although he did not express himself one way or the other, he especially referred to Mr. Good and Mr. Sherley, former chairman of the committee, as among those believing that at least some revenue ought to be derived from the parks, and said that he had been trying to do that and has followed that policy.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. McKEOWN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. McKEOWN: Page 86, after line 12, insert a new paragraph, as follows:

"None of the appropriations contained in this act for the National Park Service shall be available for any expenditures in the collection of charges for permits to enter any park."

Mr. CRAMTON. Mr. Chairman, I make the point of order. First, I suggest to the gentleman that it should follow line 20 instead of line 12 in any event, because we have read through line 12.

Mr. McKEOWN. Then I will ask to amend it in that particular.

Mr. CRAMTON. I make the point of order on the amendment.

Mr. McKEOWN. I hope the gentleman will reserve the point of order until I am heard. I do not think the point of order is good, because this comes fairly within the rule of limitation. I am not imposing any new duties here.

Mr. CRAMTON. I reserve the point of order for five minutes. Will five minutes be sufficient? I want to finish the bill to-night.

Mr. McKEOWN. I hope so, if I do not get into any controversy.

Mr. CRAMTON. Mr. Chairman, I reserve the point of order.

Mr. McKEOWN. Mr. Chairman, here is the proposition: What does this amount to? It simply amounts to this, that in the parks out West you put a charge on the people who happen to go to them, but if you have money to expend here in the East you make no charges. You might just as well put a toll fee on this new bridge that is going to cross the Potomac River as to charge American citizens for going into one of the parks in this country. It is distasteful to the average American citizen who drives up to a park to have to pay a fee. I drove into the Yosemite Park. I am frank to say that I did not know then that they charged to enter the park. When I registered the man said, "Five dollars, please." I paid the \$5. After I had gone a little ways the man discovered that I was a Congressman, and he came out after me and said he ought to give me back the \$5. I said no, and told him to keep the \$5; and I further said that any Congressman who would vote to charge his fellow citizen \$5 to go into the park ought to pay all of the fees. [Applause.]

That is the proposition here. Why charge them any fee? We might as well put a tax on every automobile that comes in here to the city of Washington to see the Capital of the Nation. It is just as fair to say that because they use the streets of Washington that the Government pays for they ought to pay a fee.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. BLANTON. They pay the fee all right when they come to Washington, when they get through with the Raleigh and the Washington and the Willard.

Mr. McKEOWN. Oh, the people that I am talking about do not ever go into the Washington or the Willard except to pass through Peacock Alley and look at it. The people that I

am talking about are plain, every day, American citizens who put their family into Fords or Chevrolets, or some other small cars, and drive out for two or three weeks' vacation, the small business man or even the big business man. What difference does it make? It is repulsive to the average American citizen to come up to a public park and be made to pay a fee, and I am opposed to it.

Mr. CRAMTON. The gentleman's amendment is aimed at the automobile fee?

Mr. McKEOWN. I am against the charging of fees, not against the issuing of a permit. I would not reprove them of the right to have permits and be able to put people out of the park.

Mr. CRAMTON. The truth is that the gentleman's amendment is so drafted that there will be no fee to enter a park, and the only cases that I know of that will be reached by that amendment are two. I am speaking in good faith to the gentleman, and after examining his amendment I admit that under the ruling of the Chairman it is not subject to the point of order. The language of it is that no fee shall be charged for entering a park. The only parks where a fee is charged for entrance are Wind Cave and Carlsbad, and at this time I do not believe the gentleman wants to do away with those fees.

Mr. McKEOWN. What I am trying to do is, whether you call it a permit on automobiles or whatnot, I am just talking in language of the everyday fellow who drives up and a fellow reaches out his hand and says, "Give us \$5 or give us \$7.50 as a fee for going through the park." That is what I am trying to stop. If my language does not stop it, I hope some gentleman here will put in language to do it.

Mr. CRAMTON. If the gentleman will permit, there are just two ways to do this thing, so far as any action by Congress is concerned. One way is to provide against fees for automobiles and stop them entirely. That under the Chairman's ruling is in order. It would be in order to provide just to stop at the middle of line 16. That stops all automobile fees entirely. It also stops the regulation of automobile traffic in large degree. The thing the gentleman from Oklahoma wants to do, if there is anything to be done, and what the committee recommended and which has been knocked out by a point of order, is to provide a limit that would simply cover the regulation and not to produce revenue.

Mr. McKEOWN. I do not want them to pay for regulations. I do not want them to pay anything when they come in the parks. Let the Government pay for regulations.

Mr. TREADWAY. Will the gentleman yield for a question?

Mr. McKEOWN. I will yield.

Mr. TREADWAY. Does not the gentleman think we are going rather far in making regulations in a legislative bill? Is it not better to trust such regulations and the prices charged for the permit, if any, to the authorities in charge of the park system?

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAMTON. Mr. Chairman, I withdraw the point of order.

Mr. BYRNS. Mr. Chairman, I renew the point of order.

Mr. McKEOWN. The point of order is not well taken. This case is clearly a limitation. There is no question if any limitation can be drawn under the rules in reference to limitation, this is certainly one.

The CHAIRMAN. In view of the decision rendered by the Chair just a few moments ago, the Chair holds that this amendment is a limitation and is in order.

Mr. BYRNS. Let us have the amendment reported.

Mr. CRAMTON. It should follow line 25.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the amendment follow line 25. Is there objection? [After a pause.] The Chair hears none.

The amendment was again reported.

Mr. CRAMTON. Mr. Chairman, I am obliged to oppose the amendment on the ground that as it reads it would interfere with the collection of any fee for entering Carlsbad Cavern and Wind Cave. If we are to do what the gentleman from Oklahoma says he wants to be done and stop the collection of any automobile permit fee, when that is done the opportunity to regulate traffic through the permit is gone.

Mr. McKEOWN. Is not the Carlsbad Cavern a monument and Wind Cave a monument?

Mr. CRAMTON. Wind Cave is a park and Carlsbad Cavern is a monument.

Mr. TREADWAY. If the gentleman will yield, is the gentleman opposed to Congressmen having plenty of opportunity to enter Wind Cave? We have that here on the floor.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Oklahoma.

The question was taken, and the Chair, expressing himself as in doubt, called for a division.

The committee divided; and there were—ayes 6, noes 20.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Education in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for the education and support of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; erection, repair, and rental of school buildings; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees, including traveling expenses of new appointees from Seattle, Wash., to their posts of duty in Alaska; packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior; repair, equipment, maintenance, and operation of U. S. S. *Bower*; and all other necessary miscellaneous expenses which are not included under the above special heads, including \$263,830 for salaries in the District of Columbia and elsewhere, \$14,000 for traveling expenses, \$107,500 for equipment, supplies, fuel, and light, \$10,470 for repairs of buildings, \$18,200 for erection of buildings, \$42,000 for freight, including operation of U. S. S. *Bower*, \$4,000 for equipment and repairs to U. S. S. *Bower*, \$2,400 for rentals, and \$1,000 for telephone and telegraph; total, \$469,400, to be immediately available.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word for the purpose of asking a question of the chairman of the subcommittee in connection with the item on page 89, lines 15 and 16, "including \$263,830 for salaries in the District of Columbia and elsewhere," and then on page 90 with the item providing "That of said sum not exceeding \$7,100 may be expended for personal services in the District of Columbia." Will the chairman be kind enough to explain just the meaning of these items and how much of this \$263,000 is to be expended in the District of Columbia as salaries?

Mr. CRAMTON. Seven thousand one hundred dollars. Here is what happened, Mr. Chairman. The committee two or three years ago found it desirable to bring some itemization into this bill, so that there is an item of \$263,000 as the total for personal services in the District and in the field, and later there appears the proviso—

that of the said sum not exceeding \$7,100 may be expended for personal services in the District of Columbia.

That is not an additional sum.

Mr. TREADWAY. What is the difference between a salary and a payment for personal services? There is a difference in phraseology that might be subject to construction.

Mr. CRAMTON. It is the difference between getting a job and accepting a situation. [Laughter.]

Mr. TREADWAY. I understand the explanation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Alaska Railroad: For every expenditure requisite for and incident to the authorized work of the Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; operation and maintenance of ocean going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad; stores for resale; payment of claims for losses and damages arising from operations; payment of amounts due connecting lines under traffic agreements; payment of compensation and expenses as authorized by section 42 of the injury compensation act; approved September 7, 1916, to be reimbursed as therein provided, \$1,400,000, in addition to all amounts received by the Alaska Railroad during the fiscal year 1928, to continue available until expended: *Provided*, That not to exceed \$6,200 of this fund shall be available for personal services in the District of Columbia during the fiscal year 1928: *Provided further*, That \$500,000 of such fund shall be available only for such capital expenditures as are chargeable to capital account under accounting regulations prescribed by the Interstate Commerce Commission, which amount shall be available immediately.

Mr. TREADWAY. Mr. Chairman, I make the point of order against the paragraph in lines 18 to 24, inclusive, on page 93, as legislation on an appropriation bill.

The CHAIRMAN. The Chair will be pleased to hear the gentleman on the point of order.

Mr. TREADWAY. I call the attention of the Chair to the fact that this is language inserted in this bill that has not appeared in any previous bill having to do with the Alaska Railroad; and I further call the Chair's attention to the language in the hearing, wherein the manager of the Alaska Railroad, in the course of a colloquy with the chairman of the subcommittee, Mr. CRAMTON, referred to the fact that, of course, they could not put on steamers to run to Alaska under the present law. Mr. CRAMTON directed the manager's attention to the fact that it could be done probably by the Shipping Board, and quite likely it can be; but at a little later period Mr. Smith, the very able manager of the railway line, submitted at the request of Mr. CRAMTON a letter suggesting that a steamship line be put on up there. This language now appears in the bill reported to the committee by the Subcommittee on Appropriations, and it is clearly new legislation on this appropriation bill.

Mr. CRAMTON. Mr. Chairman, I am a little surprised that my friend from Massachusetts should attack the lack of development in Alaska and then apparently seek to stand in the way of that which would make possible greater development.

The difficulty that came before the committee was this: More people do not go to Alaska in the summer and travel over this railroad because the boat lines are insufficient. Unless you make a reservation four or five months in advance you can not get to Alaska, and the private companies do not seem inclined to develop the situation as they ought to. The purpose of the language in question was to correct that situation; to aid in the development of business for the Alaska Railroad, and, therefore, develop Alaska by making it possible for people to get up to Seward, where they could ride on the railroad and come in contact with the opportunities in Alaska.

The language to which the gentleman objects is:

For every expenditure requisite for and incident to the authorized work of the Alaska Railroad—

That is the preliminary language, and then—

For the operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad.

The act providing for the construction and operation of the Alaska Railroad provides for the operation of the railroad after construction "until the further action of Congress," and it provides authority:

To make contracts or agreements with any railroad or steamship company or vessel owner for joint transportation of passengers or property over the road or roads herein provided for, and such railroad or steamship line or by such vessel, and to make such other contracts as may be necessary to carry out any of the purposes of this act.

The CHAIRMAN. Will the gentleman kindly give me that citation?

Mr. CRAMTON. That is in Barnes Code, section 3114. Of course, it is from the act of March 12, 1914.

I quote further:

It is the intent and purpose of Congress through this act to authorize and empower the President of the United States, and he is hereby fully authorized and empowered, through such officers, agents, or agencies as he may appoint or employ, to do all necessary acts and things in addition to those specially authorized in this act to enable him to accomplish the purposes and objects of this act.

It is very broad language indeed.

Mr. TREADWAY. Will the gentleman yield?

Mr. CRAMTON. I yield to the gentleman.

Mr. TREADWAY. I would like to ask a question. I admit the language is extremely broad and was undoubtedly drawn intentionally so it should be very broad, but I would like to call the gentleman's attention to what occurs to me to be a very great difference at the present time, namely, that the act had to do with the construction of the Alaska Railroad, whereas we are now making appropriations for its maintenance. The Alaska Railroad, to all intents and purposes, has been completed. Of course, it has to have repair work done and all that sort of thing, but there is no purpose, so far as I know—

Mr. CRAMTON. Is this all a question?

Mr. TREADWAY. Then I will put the question direct to the gentleman if he desires: Is there not a distinct difference between construction or the language in an appropriation bill having to do with the construction of a railroad in the first instance and that of carrying on its operation in later years?

Mr. CRAMTON. I happened to be in Congress when that bill passed the House.

Mr. TREADWAY. I will say to the gentleman I was also.

Mr. CRAMTON. Then we both recall this to have been the fact: The purpose was not to build a railroad up in a wilderness and forget it; the purpose was not primarily to build a railroad, but the primary purpose was to develop Alaska through the construction and operation of a railroad. The development of Alaska would not come through the construction of a railroad but through its operation, and the act specifically provides for the operation of the railroad. As I have before stated the act provides for the operation of the same until the further action of Congress, and that is the purpose referred to in the paragraph I have read, and the effort of the committee is to authorize the railroad management to do all the things necessary in connection with the operation of this railroad for the purposes set forth.

I realize, Mr. Chairman, it is not going to be possible to complete consideration of the bill to-night. The point of order raised by the gentleman from Alaska—

Mr. TREADWAY. From where?

Mr. CRAMTON. Well, the gentleman was from Alaska.

Mr. TREADWAY. Very temporarily.

Mr. CRAMTON. The gentleman went to Alaska and spent a few weeks up there and now he has two complaints, first, that there is no development in Alaska; and, second, that the committee has proposed something that might develop Alaska.

Mr. TREADWAY. That is arguing on the merits of the question, I maintain, Mr. Chairman.

Mr. CRAMTON. Yes; and I should not proceed in that mood.

I will say, Mr. Chairman, it is a point of much importance. The committee feel that the language is of very great importance to the bill. It gives the management of that railroad authority that is much needed and would be highly beneficial, and in order that the Chair may have opportunity to consider the question and in order that the gentleman from Massachusetts may have an opportunity to reflect and repent, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MICHENER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 14827, the Interior Department appropriation bill, had come to no resolution thereon.

ALIEN PROPERTY BILL

Mr. GREEN of Iowa. Mr. Speaker, I have not been able to quite finish the report on the alien property bill, and I ask unanimous consent that I may have until midnight to-night to file the same.

The SPEAKER. The gentleman from Iowa asks unanimous consent that he may have until midnight to-night to file the report on the alien property bill. Is there objection?

There was no objection.

THE JUDGES' SALARY BILL

Mr. GRAHAM. Mr. Speaker, the gentleman from Alabama [Mr. HUDDLESTON] has notified me that I could say he withdrew his objection to the further consideration of the joint resolution this morning—to correct an error in the judicial salary bill, and I therefore offer the resolution and ask for its present consideration.

The SPEAKER. The gentleman from Pennsylvania offers a resolution, which the Clerk will report, and asks unanimous consent for its immediate consideration.

The Clerk read as follows:

Joint Resolution 303

Resolved, etc., That the act of December 13, 1926, "An act to fix the salaries of certain judges of the United States," be, and it is hereby, amended by striking out the words "To each member of the Board of General Appraisers, which board," and inserting in lieu thereof the words "To the chief justice and associate justices of the United States Customs Court, which court."

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted—

To Mr. GRIFFIN, indefinitely, on account of illness in his family.

To Mr. ANTHONY, indefinitely, on account of illness.

ADJOURNMENT

Mr. CRAMTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 8 minutes p. m.) the House adjourned until to-morrow, Wednesday, December 15, 1926, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings for Wednesday, December 15, 1926, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Independent offices; War Department, State, Justice, Commerce, and Labor Departments appropriation bills.

COMMITTEE ON AGRICULTURE

(10 a. m.)

Relating to certain cotton reports of the Secretary of Agriculture (H. R. 14245).

COMMITTEE ON EDUCATION

(10.30 a. m.)

To amend the act providing additional aid for the American Printing House for the Blind (H. R. 13453).

COMMITTEE ON MILITARY AFFAIRS

(10.30 a. m.)

Report on promotion and retirement by the Secretary of War and the Chief of Staff.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10 a. m.)

Authorizing the Secretary of the Treasury to acquire certain lands within the District of Columbia to be used as sites for public buildings (H. R. 14687).

To authorize the Secretary of the Treasury to purchase a post-office site at Olyphant, Pa., with mineral reservations (H. R. 13481).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

774. A letter from the Secretary of the Treasury, inclosing drafts of legislation to authorize the Secretary of the Treasury to accept title to land for sites for Federal buildings at Olyphant and Tamaqua, Pa.; to the Committee on Public Buildings and Grounds.

775. A letter from the Secretary of the Interior, transmitting a statement showing the receipts from rentals, extension of Capitol Grounds, for the period from December 1, 1925, to and including November 30, 1926; to the Committee on Public Buildings and Grounds.

776. A communication from the President of the United States, transmitting a supplemental estimate of appropriation, under the legislative establishment, Senate Office Building, for the fiscal year 1927, in the sum of \$5,000 (H. Doc. No. 581); to the Committee on Appropriations and ordered to be printed.

777. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on preliminary examination and survey of Grays Harbor, Wash. (H. Doc. No. 582); to the Committee on Rivers and Harbors and ordered to be printed.

778. A letter from the Secretary of the Interior, transmitting a copy of a letter from the superintendent of St. Elizabeths Hospital, dated December 8, 1926, transmitting the financial report contemplated by the above-mentioned section of the act of June 4, 1880; to the Committee on Expenditures in the Interior Department.

779. A letter from the Secretary of War, transmitting a report, dated the 14th instant, from the Chief of Engineers, United States Army, on preliminary examination and survey of Mississippi River from Minneapolis to Lake Pepin, with a view to improvement by the construction of locks and dams (H. Doc. No. 583); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

780. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on preliminary examination and survey of Sandusky Harbor, Ohio (H. Doc. No. 584); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

781. A letter from the Secretary of War, transmitting a report from the Chief of Engineers, United States Army, on preliminary examination and survey of Green Harbor, Wis.

(H. Doc. No. 585); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

782. A letter from the Secretary of War, transmitting a report from the Chief of Engineers, United States Army, on preliminary examination and survey of the intracoastal waterway from Jacksonville, Fla., to Miami, Fla. (H. Doc. No. 586); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

783. A letter from the Secretary of War, transmitting a report from the Chief of Engineers, United States Army, on preliminary examination and survey of inner harbor at Lorain, Ohio (H. Doc. No. 587); to the Committee on Rivers and Harbors and ordered to be printed.

784. A letter from the Secretary of War, transmitting a report from the Chief of Engineers, United States Army, on preliminary examination and survey of Holland Harbor and Block Lake, Mich. (H. Doc. No. 588); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

785. A communication from the President of the United States, transmitting a supplemental estimate of appropriation under the legislative establishment, House of Representatives, for the fiscal years 1927 and 1928, in the sum of \$11,652 (H. Doc. No. 589); to the Committee on Appropriations and ordered to be printed.

786. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Navy Department for the fiscal year ending June 30, 1928, for improvement of the channel and harbor at the naval station, Pearl Harbor, Hawaii, \$2,805,000 (H. Doc. No. 590); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. COYLE: Committee on Naval Affairs. H. R. 14242. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works at Quantico, Va.; without amendment (Rept. No. 1621). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM: Committee on the Judiciary. S. 1642. An act to provide for the appointment of an additional district judge for the eastern district of Pennsylvania; without amendment (Rept. No. 1622). Referred to the Committee of the Whole House on the state of the Union.

Mr. GREEN of Iowa: Committee on Ways and Means. H. R. 15009. A bill to provide for the settlement of certain claims of American nationals against Germany and of German nationals against the United States, for the ultimate return of all property of German nationals held by the Alien Property Custodian, and for the equitable apportionment among all claimants of certain available funds; without amendment (Rept. No. 1623). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 14786) granting an increase of pension to John D. Lindsay, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MORIN: A bill (H. R. 15118) to amend section 47-d of the national defense act; to the Committee on Military Affairs.

By Mr. TOLLEY: A bill (H. R. 15119) to grant pensions to certain disabled soldiers and sailors of the World War; to the Committee on Pensions.

By Mr. MORIN: A bill (H. R. 5120) to amend the act approved June 1, 1926 (Public 318, 69th Cong.), authorizing the Secretary of War to exchange deteriorated and unserviceable ammunition and components, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15121) to amend the act of June 25, 1910 (36 Stat. 851), as amended by the act of July 1, 1918 (40 Stat. 705), to promote economy in Government expenditures in the settlement and other disposition of certain patent claims against the United States; to the Committee on Patents.

Also, a bill (H. R. 15122) to further amend section 90 of the national defense act of June 3, 1916, as amended, so as to authorize employment of additional caretakers for National Guard organizations, under certain circumstances, in lieu of

enlisted caretakers heretofore authorized; to the Committee on Military Affairs.

By Mr. KENDALL: A bill (H. R. 15123) to protect the Government and the public from shortages of farm products; to the Committee on Agriculture.

By Mr. OLDFIELD: A bill (H. R. 15124) defining cooperative nonprofit life benefit associations with representative form of government, providing the terms on which such associations may do business in the District of Columbia, providing for the incorporation of such associations, providing for manner of taxation, suits and service of process, regulation and control of the business of such organizations doing business in said District, and providing the conditions under which such foreign associations may become incorporated in said District, and providing how such associations otherwise qualified may become legal reserve life-insurance companies; to the Committee on the District of Columbia.

By Mr. STEVENSON: A bill (H. R. 15125) to provide further aid to disabled veterans of the World War; to the Committee on World War Veterans' Legislation.

By Mr. WILLIAMSON: A bill (H. R. 15126) providing for a per capita payment of \$30 to each enrolled member of the Cheyenne River Sioux Tribe in South Dakota from the funds standing to their credit in the Treasury of the United States; to the Committee on Indian Affairs.

By Mr. WURZBACH: A bill (H. R. 15127) for the relief of sufferers from floods in the vicinity of Fabens and El Paso, Tex., in September, 1925; to the Committee on Military Affairs.

By Mr. ZIHLMAN: A bill (H. R. 15128) to further regulate certain public-service corporations operating within the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. ROWBOTTOM: A bill (H. R. 15129) granting the consent of Congress to the Indiana Bridge Co. to construct, maintain, and operate a toll bridge across the Ohio River at Evansville, Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. CONNOLLY of Pennsylvania: A bill (H. R. 15130) granting the consent of Congress to the Tacony-Palmyra Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Delaware River; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVEY: A bill (H. R. 15131) to authorize the Secretary of the Navy to modify agreements heretofore made for the settlement of certain claims in favor of the United States; to the Committee on Naval Affairs.

By Mr. SWING: A bill (H. R. 15132) to authorize the Secretary of the Navy to proceed with the construction of certain public works at San Diego, Calif., and for other purposes; to the Committee on Naval Affairs.

By Mr. BLOOM: Resolution (H. Res. 335) providing for a select committee of seven Members of the House of Representatives to inquire into certain charges made by Henry Ford concerning the operation of the Government and the activities of the Federal reserve system; to the Committee on Rules.

By Mr. MacGREGOR: Resolution (H. Res. 336) to print the monograph entitled "Stream Pollution in the United States" as a House document; to the Committee on Printing.

By Mr. KIESS: Resolution (H. Res. 337) providing for the printing of the journal of the Twenty-eighth National Encampment of the Veterans of Foreign Wars of the United States; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARKLEY: A bill (H. R. 15133) to remove the charge of desertion from the name of Lee Thompson; to the Committee on Military Affairs.

By Mr. ELLIS: A bill (H. R. 15134) granting an increase of pension to Lilly Flaherty; to the Committee on Pensions.

By Mr. DEMPSEY: A bill (H. R. 15135) granting an increase of pension to Sophia E. Dunham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15136) granting an increase of pension to Lucretia Burton; to the Committee on Invalid Pensions.

By Mr. EATON: A bill (H. R. 15137) granting a pension to Mary E. Schapley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15138) granting a pension to Mary Osmond Rousseau; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15139) granting an increase of pension to Deborah Gaskill; to the Committee on Invalid Pensions.

By Mr. ESTERLY: A bill (H. R. 15140) granting an increase of pension to Mary Gaul; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15141) granting an increase of pension to Ellen W. Frescoln; to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 15142) for the relief and reimbursement of the Central New England Sanatorium (Inc.), in Massachusetts; to the Committee on Claims.

By Mr. FULMER: A bill (H. R. 15143) for the relief of Richard A. Chavis; to the Committee on Military Affairs.

By Mr. GIBSON: A bill (H. R. 15144) authorizing the President to appoint Capt. Edmund B. Moore, Ordnance Department Reserve, an officer in the Ordnance Department, United States Army; to the Committee on Military Affairs.

By Mr. HADLEY: A bill (H. R. 15145) granting an increase of pension to Sarah J. Curtiss; to the Committee on Invalid Pensions.

By Mr. HOLADAY: A bill (H. R. 15146) granting a pension to Charlotte Bolin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15147) granting a pension to Anna E. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15148) granting an increase of pension to Anna E. Easton; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 15149) granting a pension to Augusta Morey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15150) granting a pension to Eulalah Block; to the Committee on Pensions.

Also, a bill (H. R. 15151) granting a pension to Anna Hablich; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15152) granting an increase of pension to Sophiah H. Vaughn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15153) granting an increase of pension to George A. Walton; to the Committee on Pensions.

Also, a bill (H. R. 15154) granting an increase of pension to Karolina Fullmer; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 15155) granting a pension to Mary Turner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15156) granting a pension to Nancy S. Clark; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Illinois: A bill (H. R. 15157) to change the military record of Ira C. Vore; to the Committee on Military Affairs.

By Mr. KEARNS: A bill (H. R. 15158) granting an increase of pension to Belle H. Compton; to the Committee on Invalid Pensions.

By Mr. KELLY: A bill (H. R. 15159) to correct the military record of A. G. Vincent; to the Committee on Military Affairs.

By Mr. KETCHAM: A bill (H. R. 15160) granting a pension to Lola I. Pope; to the Committee on Invalid Pensions.

By Mr. LUCE: A bill (H. R. 15161) granting a pension to Joanna E. Gorman; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 15162) granting an increase of pension to Sarah C. Hogg; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 15163) granting an increase of pension to Jane Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15164) granting an increase of pension to Risby Jane McLaughlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15165) granting an increase of pension to Mary Catherine Staley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15166) granting a pension to Melville Gordon; to the Committee on Pensions.

By Mr. MacGREGOR: A bill (H. R. 15167) granting an increase of pension to Annie S. Hogan; to the Committee on Invalid Pensions.

By Mr. MARTIN of Massachusetts: A bill (H. R. 15168) to provide for the retirement of August Wolters as a first sergeant in the United States Army; to the Committee on Military Affairs.

By Mr. MEAD: A bill (H. R. 15169) granting an increase of pension to Augusta Engelhardt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15170) granting an increase of pension to Amelia Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15171) granting an increase of pension to Priscilla Pinney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15172) granting an increase of pension to Pauline Murray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15173) granting an increase of pension to Amanda Phillips; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 15174) granting an increase of pension to Minnie F. Perkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15175) granting an increase of pension to Helen Potter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15176) granting a pension to John Charles Inglee; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 15177) for the relief of Virgil W. Roberts; to the Committee on Military Affairs.

Also, a bill (H. R. 15178) for the relief of Charlie R. Pate; to the Committee on Military Affairs.

Also, a bill (H. R. 15179) granting a pension to John Miller Grove, alias James M. Groves; to the Committee on Pensions.

Also, a bill (H. R. 15180) granting a pension to Callie Manley; to the Committee on Invalid Pensions.

By Mr. REID of Illinois: A bill (H. R. 15181) for the relief of S. K. Truby; to the Committee on Claims.

By Mrs. ROGERS: A bill (H. R. 15182) granting six months' pay to Frank A. Grab, father of Alfred Newton Grab, deceased, seaman, United States Navy, in active service; to the Committee on Naval Affairs.

By Mr. ROUSE: A bill (H. R. 15183) granting an increase of pension to Lucy A. Worthington; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 15184) granting an increase of pension to Mary Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15185) granting an increase of pension to Mary E. Anderson; to the Committee on Invalid Pensions.

By Mr. SANDERS of Texas: A bill (H. R. 15186) granting a pension to William E. Gilreath; to the Committee on Pensions.

By Mr. SOSNOWSKI: A bill (H. R. 15187) granting a pension to Susan McKay Young; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 15188) granting an increase of pension to William H. Peel; to the Committee on Pensions.

By Mr. THOMAS: A bill (H. R. 15189) granting a pension to James P. Hultt; to the Committee on Invalid Pensions.

By Mr. TOLLEY: A bill (H. R. 15190) to renew and extend certain letters patent to Fred Clark; to the Committee on Patents.

By Mr. UPSHAW: A bill (H. R. 15191) granting an increase of pension to Leo Pope Ott; to the Committee on Pensions.

By Mr. VAILE: A bill (H. R. 15192) granting an increase of pension to Charity Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15193) granting an increase of pension to Lucie Irvin; to the Committee on Invalid Pensions.

By Mr. WELCH of California: A bill (H. R. 15194) for the relief of Charles Lennon; to the Committee on Military Affairs.

By Mr. WILLIAMSON: A bill (H. R. 15195) for the relief of James J. Whisman; to the Committee on Claims.

By Mr. WOLVERTON: A bill (H. R. 15196) for the relief of Irvin Brown; to the Committee on Claims.

Also, a bill (H. R. 15197) for the relief of Jennie Wyant; to the Committee on Claims.

By Mr. WOODYARD: A bill (H. R. 15198) granting an increase of pension to Laura Cross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15199) granting an increase of pension to Alice L. Self; to the Committee on Invalid Pensions.

By Mr. WURZBACH: A bill (H. R. 15200) for the relief of Joske Bros. Co.; to the Committee on Claims.

Also, a bill (H. R. 15201) granting a pension to Amanda Lawrence; to the Committee on Pensions.

By Mr. WURZBACH: A bill (H. R. 15202) for the relief of Fritz Zoller; to the Committee on Claims.

By Mr. WYANT: A bill (H. R. 15203) granting an increase of pension to Mary Jane Ressler; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 15204) granting an increase of pension to Ella Lowdermilk; to the Committee on Invalid Pensions.

By Mr. McLEOD: Joint resolution (H. J. Res. 304) to award recognition in the name of Congress to former Lieut. Maurice S. Revnes; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4340. By Mr. ANTHONY: Petition of citizens of Shawnee County, Kans., urging the enactment of legislation to increase the pensions of the veterans of Indian wars and their widows; to the Committee on Pensions.

4341. By Mr. BRUMM: Evidence in support of House bill 15040, granting a pension to Hattie G. Dickey; to the Committee on Pensions.

4342. By Mr. EVANS: Petition of Chamber of Commerce of Bozeman, Mont., urging and recommending the construction on one of the three new scout cruisers to be allotted to the Puget Sound Navy Yard and that such allotment be made at the earliest possible date; to the Committee on Naval Affairs.

4343. By Mr. GALLIVAN: Petition of Boston Central Labor Union, P. H. Jennings, secretary-business representative, 987 Washington Street, Boston, Mass., recommending early and favorable consideration of House bills 359, 9959, and 12930, which seek to correct evils and abuses in Government employment; to the Committee on the Civil Service.

4344. By Mr. HOWARD: Petition of Cedar County, Nebr., citizens for increase of pension to all soldiers and their widows of the Civil War; to the Committee on Invalid Pensions.

4345. By Mr. MICHAELSON: Petition of the Norwegian League of Chicago, comprising 52 societies, representing a membership of upward of 25,000 members, favoring restrictive immigration measures, but feel that subdivisions B, C, D, and E of section 11 of the immigration act are unjust; to the Committee on Immigration and Naturalization.

4346. By Mr. O'CONNELL of New York: Petition of John Beckman, 189 Montague Street, Brooklyn, N. Y., with reference to American-owned securities in Germany; to the Committee on Ways and Means.

4347. Also, petition of the Federal-Brandes (Inc.), of New York City, N. Y., concerning adequate legislation on radio control; to the Committee on the Merchant Marine and Fisheries.

4348. By Mr. PHILLIPS: Evidence and affidavits to accompany House bill 15096, for the relief of Albert Power; to the Committee on Claims.

4349. By Mr. PRATT: Petition of 69 citizens of Hudson, Columbia County, N. Y., urging immediate legislation further increasing the rate of pension to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4350. By Mr. ROWBOTTOM: Petition of Mount Vernon (Ind.) Chamber of Commerce, December 8, 1926, O. A. Weillbrenner, president; to the Committee on Rivers and Harbors.

4351. By Mr. SHALLENBERGER: Petition against compulsory Sunday observance; to the Committee on the District of Columbia.

4352. By Mr. WELSH of Pennsylvania: Petition of Woodland Presbyterian Church, Philadelphia, Pa., favoring passage of the Lankford Sunday rest bill for the District of Columbia (H. R. 10311); to the Committee on the District of Columbia.

SENATE

WEDNESDAY, December 15, 1926

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, whether it is light or dark, Thou art the same yesterday, to-day, and forever. Thou dost enter into our conditions and art ever accessible to those who are hungering and thirsting after righteousness. Create within each heart, we beseech Thee, a great longing after best things and a realization in daily conduct of those things especially which appeal most to human lives about us. Hear and help us through the day. We ask in Jesus Christ's name. Amen.

The Chief Clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CREDENTIALS

The VICE PRESIDENT laid before the Senate the certificate of election of CHARLES CURTIS, of Kansas, which was read and ordered to be placed on file, as follows:

STATE OF KANSAS,
EXECUTIVE DEPARTMENT,

Certificate of election

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November, 1926, CHARLES CURTIS was duly chosen by the qualified electors of the State of Kansas a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1927.

Witness his excellency our governor, Ben S. Paulen, and our seal hereto affixed at Topeka, Kans., this 10th day of December, in the year of our Lord 1926.

By the governor:
[SEAL.]

BEN S. PAULEN, Governor.

FRANK J. RYAN, Secretary of State.

The VICE PRESIDENT laid before the Senate the certificate of election of MILLARD E. TYDINGS, of Maryland, which was read and ordered to be placed on file, as follows:

EXECUTIVE DEPARTMENT,
ANNAPOLIS, Md.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November, 1926, MILLARD E. TYDINGS was duly chosen by the qualified electors of the State of Maryland a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1927.

Witness: His excellency our governor, Albert C. Ritchie, and the great seal of Maryland, hereto affixed, at the city of Annapolis, State of Maryland, this 14th day of December, in the year of our Lord 1926.

ALBERT C. RITCHIE.

By the governor:
[SEAL.]

DAVID C. WINEBRENNER, 3d,
Secretary of State.

The PRESIDING OFFICER (Mr. BINGHAM in the chair) laid before the Senate the certificate of election of LEE S. OVERMAN, of North Carolina, which was read and ordered to be placed on file, as follows:

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT.

To all to whom these presents shall come, greeting:

Know ye, that we, reposing special trust and confidence in his integrity and knowledge, do by these presents commission LEE S. OVERMAN a Member of the United States Senate, having been elected at the general election, November 2, 1926, to succeed himself for a term of six years, and do hereby confer upon him all the rights, privileges, and powers useful and necessary to the just and proper discharge of the duties of his appointment.

In witness whereof, his excellency, Angus W. McLean, our governor and commander in chief, hath signed with his hand these presents and caused our great seal to be affixed hereto.

Done at our city of Raleigh, this 8th day of December, in the year of our Lord 1926, and in the one hundred and fifty-first year of our American independence.

A. W. McLEAN, Governor.

By the governor:
[SEAL.]

W. N. EVERETT,
Secretary of State.

Mr. TRAMMELL presented the certificate of election of DUNCAN U. FLETCHER, of Florida, which was read and ordered to be placed on file, as follows:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November, 1926, DUNCAN U. FLETCHER was duly chosen by the qualified electors of the State of Florida a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1927.

Witness: His excellency our governor, John W. Martin, and our seal hereto affixed at Tallahassee, this the 11th day of December, in the year of our Lord 1926.

JOHN W. MARTIN, Governor.

By the governor:
[SEAL.]

H. CLAY CRANFORD,
Secretary of State.

STATE DEPARTMENT ROUTINE REPORTS

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State on matters concerning the Department of State, required by certain provisions of law enumerated in the report.

CALVIN COOLIDGE.

THE WHITE HOUSE,

Washington, December 15, 1926.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILLIS:

A bill (S. 4822) granting an increase of pension to Anna Martin (with accompanying papers); to the Committee on Pensions.

By Mr. WALSH of Montana:

A bill (S. 4824) for the relief of Fannie M. Hollingsworth; to the Committee on Public Lands and Surveys.

A bill (S. 4825) authorizing the payment of certain sums to Roosevelt County, Mont.; to the Committee on Post Offices and Post Roads.